بسم الله الرحمن الرحيم

# THE SHARI'AH MOON SIGHTING, SALAT TIMES & ASTRONOMICAL FACTS

Including the Fatawa & Opinions of The Ahlus Sunnah wal Jama'ah with Fatawaa of Hanafi Scholars from the Barelwi and Deobandi schools


**Author**

Maulvi Ya'qub Ahmad Miftahi




*Chapter 1, 2, 3 : An annex to Shar'ie Thuboote Hilaal & Accurate time for Isha & Fajar*

Chapter 1 : Fatawaa by Deobandi Scholars

*Translated by: Mufti Muhammed Aslam Patel of Harare*

Chapter 2, 3 : Moon Sighting & Salat Times
Fatawa of Barelvi Scholars

*Translated by: Maulana Abdul Basit of London*


**PUBLISHED BY**

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In the name of Allah the most merciful, the most beneficent



يَسْئَلُوْنَكَ عَنِ الأَهِلَّةِ قُلْ هِيَ مَوَاقِيْتُ لِلنَّاسِ وَالْحَجِّ

*They ask you (O Muhammad J) about the new moons. Say,*
*They are signs to mark fixed periods of time for mankind and for the Pilgrimage (Haj).*

إنَّ الصَّلوأة كانت علي المؤمنين كتاباموقوتا

"Verily Salaah is obligatory on its appointed time" Al-Quran

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## Chapter 1

***Fatawaa by Deobandi Scholars***

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**Hizbul Ulama UK, Darul Uloom Bury, Jamiatul Ulama Britain**



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# PREFACE

Praises and salutations are to the Prophet Muhammad صلی اللہ علیہ وسلم, his family, companions and his followers till the day of judgement.

Allah says: “Verily among his servants Ulamaa (Scholars) are most fearful of him”. (Fatir/28)

The Prophet صلی اللہ علیہ وسلم said: we are an illiterate nation. We do not know writing and calculating. (He opened his hands by gesturing with his fingers three times and said) months are like this, like this and like this (i.e. 30 days). Then he opened his hands again, but after the second time he closed his fingers by keeping the hands up, and said, months are like this, like this and like this.(i.e. 29 days) (Bukhari, Muslim, Abu Dawood, Nasaai)

This piece of work is rightly dedicated to the Mercy for the Worlds, the Noblest of men and the Seal of the Prophets, Mohammad Mustafa صلی اللہ علیہ وسلم. May Allah’s blessings be upon him, his family, descendants and his Companions.

Aameen.

# DEDICATION

It is only befitting that I dedicate this humble work to the noble Prophet Mohammad صلی اللہ علیہ وسلم addressed by Allah سُبْحنه وتعالی as the "Unlettered" Prophet, yet, the master of the most extensive knowledge, foretold in previous scriptures, and the mercy for the worlds.

It is the Holy Prophet صلی اللہ علیہ وسلم who took the Arabs out of the depths of ignorance and elevated them to unprecedented heights of glory. The Arabs who buried their daughters alive in pre Islamic days were now the advocates of love and compassion. Allah took mercy on them and accepted them as the best of all people. Their Master was the greatest teacher of all, teaching not only the highest form of morality but also the most sublime acts of devotion to Allah سُبْحنه وتعالی. One of these acts of devotion is one with which this book is mainly focused on i.e. Salat, the act of worship which connects the devotee to his Maker, at least five times a day. The Master performed the Salat perfectly and this is the one practice of the Prophet صلی اللہ علیہ وسلم that we should all try to emulate so that we can please Allah سُبْحنه وتعالی and gain nearness to him.

*(Holy Qur'an, 21:107)*

Oh Allah! Lord of this perfect call, and of the Salaah to be offered presently, grant Mohammad سُبْحنه وتعالی the way of approach and rights of intercession, Eminence,

distinction and highest class in paradise, and raise him to the glorious position and rank you have promised him (Maqamam Mahmooda), and afford us his intercession on the Day of Judgement. Surely, you never go back on your word or promise. Aameen.

*(Holy Qur'an, 17:79)*

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*Chapter 3: Fatawa for Salat Times*

*By Barelvi Scholers; Mushahadah or Degree?*

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# C O N T E N T S

بسم الله الرحمن الرحيم

# Chapter – 1 of 3

## Thuboote Hilal and Fatawaa by Deobandis

## Foreword:

الحمد لله رب العلمين وبه نستعين ونصلى ونسلم على سيدنا محمد بن عبد الله خاتم النبيين

All praise is due to Allah, the *Rabb* (Creator and Sustainer) of the universe and it is from Him alone that we seek assistance. We convey Benedictions and Greetings of Peace (*Salaat and Salaam*) to our Guide and Master, Muhammad ibn Abdillah, the last and final of all Prophets and Messengers.

Dear Respected Readers,

Assalaamu Alaikum Warahmatullahi Wabarakatuh

According to the Shari'ah, the month will be confirmed by seeing the moon and in case of non-visibility; 30 days have to be completed. This is the consent of the entire Ahle Sunnah Wal Jamah.

Our main task by this book is to remind The Ahle Sunnah Wal Jamaah about The Islamic principles for establish of Islamic Months and what is the Prophet`s method for it by educating

entire Muslims and bring them together on the path of Rasoolulullah صلی الله علیه وسلم.

My humble thanks to the efforts made by Mufti Mohammed Aslam Patel who translated This Chapter 1 `s fatawa of Deobadi Muftiyae Kiram Urdoo to English, which you are reading now.

My sincere thanks and appreciation, for his sustained efforts and dedicated commitment towards the completion of this translation. May Allaah accept his most sincere intentions. I pray to Allah Subhanahu Wata`aala to accept our effort and give us all hidayat for Sirate Mustaquim. Aameen.

**Maulvi Ya'qub Ahmad Miftahi**
General Secretary
Date 10 Rajab1430/3 July 2009 Jumaah
**Hizbul Ulama UK and**
**The Central Moon Sighting Committee, Great Britain**

# The History of Astronomical Calculations

Astronomical calculation started in 431 BC at the hand of a man called Meton. He was an astronomer as well as a philosopher. A Palestinian Jew by the name of Rabbi Hallel 2nd in 358 CE inserted this calculation in his religion. Later on Christians accepted this formula in their religion.

Islam started at 610 CE. When Prophet صلى الله عليه وسلم took migration to Madinah at 622 CE, this is the time fasting became obligatory for Muslims. The Jews, who were living in Madinah, were experts in astronomical calculation. Despite that Prophet صلى الله عليه وسلم ordered the Muslims to keep the fast by sighting the moon. If the moon is not visible on 29th day then 30 days must be completed.

After the blessed era of Prophet صلى الله عليه وسلم and his companions رضى الله عنه towards the 2nd century Abbasside Caliphs and Shi'a started using the astronomical calculation in the office and in religion. Lots of Greeks books were translated in to Arabic. In Fatimid dynasty when Hakim Bi-Amrilla became the caliph, he issued many defrant official orders against to all Egyptians including Sunnis in 393 AH ,Specialy for Sunnis that"no one will start the Ramadan by seeing the moon, neither will anyone be allowed to end the Ramadan on the basis of moon sighting. Everyone is bound to obey the astronomical calculation." He even banned the Taraweeh Salaah. Protests of Sunnis grew so intense that in 397AH he was forced to lift the order. Commentator of Bukhari Ibn Hajar rejected the idea of astronomical calculation for moon sighting and said it is a Shi'a ideology. It is Mu'tazila and Kharijis idea too; a dangerous snake emerged in front of us.

## The Jeudo Christian Lunar Calendar, Islam and the Messenger صلى الله عليه وسلم

When the era of the final Messenger صلى الله عليه وسلم commenced in 610 CE we find that he expressed that he has come to do away with all the previous practices based on ignorance such that by the command of Allah, Rasoolullah صلى الله عليه وسلم *did* away with most of the laws that were found in the previous scriptures. In one Hadith Rasoolullah صلى الله عليه وسلم is reported to have mentioned:

لتتبعن سنن الذين من قبلكم شبرا بشبر وذراعا بذراع حتى لو دخلوا حجر ضب لاتبعتموهم , قيل يا رسول الله اليهود والنصارى قال فمن؟ (رواه البخارى و مسلم)

*You will definitely follow the practices of those who passed before you to the finest detail so much so that if they entered the hole of a lizard you will do likewise. It was asked, 'O Rasoolullah* صلى الله عليه وسلم *are you referring to the Jews and Christians?' and he replied saying, 'Who else!' (Bukhari and Muslim)*

This means that the Muslims will break the laws of Islam by adopting the way of the religious calendar of the Jews and the Christians.

It is not a secret to the Scholars of Islam that only those practices of the People of the Scriptures can be adopted which were upheld by Islam. Whichever practices were not upheld by Islam will be rejected and from among the rejected practices is the new-moon theory of astronomy and the calculations.

Since the advent of Islam up to this present age the Muslims especially in the Jazirat-ul-Arab and the Deobandi and Barelwi Ulama of the Indian Sub-continent (Indo-Pak & Bangladesh) have maintained this practice as well as issued their verdicts on the fact that the new-moon theory cannot be used to establish the sighting of the new moon nor can it be used to cross-examine any witnesses to the sighting of the moon (readers can see The Fatawaa of Ahle Sunnah Wal Jamaah, specifically from the Deobandi and Barelvi Scholars in this book).

## Present Century and Latest Research

Those who are using all the strength of their Faith on astronomy should take note that even today there is no shortage of proof and evidence on such theories not being categorical. Due to the advance and progress of the electronic media as well experiments, testimonies and discussions being broadened the positive picture of Shari'ah being portrayed in opposition to the new-moon theory and hypothetical calculations on the presence or absence of the moon is not only an additional guide to the non-Muslim experts but also for the Muslim astronomers as will be mentioned later.

Professor Muhammad Ilyas writes the following: 'Despite the advance and progress made during this age there has been no progress in relation to the sighting of the moon despite 1000 years having passed since Berooni presented his research.' By man having reached the moon people have regarded the seeing of an object from the earth and the calculation on reaching it as

being effective in sighting the moon whereas that is not so (The Islamic Calendars, Times and Qiblah' by Professor Muhammad Ilyas).

Nevertheless, since theories keep changing and the theories of the past as well as those of the recent past which were portrayed as categorical have changed many times and there is no guarantee that whatever theories are being regarded as definite today will not change in the future. For example, Andre Danjon to whom Professor Ilyas made reference in his book under the observation of Al-Berooni whereby there is a hypothetical meeting of the sun and moon (conjunction) then despite the sun and moon being lined up absolutely straight there is a gap, in actual reality, between them. No true astronomer will deny this fact. Where he has accepted the central point of the new moon he has also stated the possibility of sighting the moon when the two are at a distance of 7° from each other. It is on the basis of this that, for the last four decades, the astronomers and the Greenwich Observatory of London has been refuting testimonies by those who physically sighted the moon.

However since the means of communication have become more common and Muslims have in general searched for the moon on the evening after the $29^{th}$ day of a lunar month in conformance to the 14 century old Sunnah practice and have repeatedly sighted the moon at the time of hypothetical conjunction, as well as before and after it and even before the stipulated viewing time this has resulted in heavy criticism from the astronomers but the access to communication has brought forth new revelations in astronomy which are open to everyone:

1) The principle coined by Andre Danjon (1920 CE) of the moon being visible at an elongation of 7° which the Greenwich Observatory has ever since adopted has changed.

2) Jim Stamm sighted the moon in the US on 11 October 2007 which many would term impossible.

3) A German, Dr. Joachim and his team saw the moon at 1 pm on 23 September 2006 (though with a telescope) whereas sighting of this new moon was regarded as not possible.

4) The expert in astronomy, Professor Sultan clearly stated that the crescent could actually be seen at some conjunctions. There is no hard limit, and definitely not the 'Danjon Limit'.

5) An expert non-Muslim astronomer, Martin Elsässer has stated exactly the same thing by stating that it may be possible to sight the moon at new moon conjunction particularly when the angle is at its greatest.

(6) All experts in astronomy understand this phenomenon but those who would like Muslims to adhere to scientific principles ignore the finer points of science and try and get away with generalisations until professionals like Martin Elsasser, Jim Stamm, Dr Schaefer and Dr Sultan point out the finer details to the novices and amateurs within the field.

(7) Jim Stamm, Martin Elsasser and others agree that the 'Danjon Limit' is being used improperly. (See more information about **all these widely in our website www.hizbululama.org.uk)**

## The New-Moon theory & the logic

The New-Moon theory is based on the logic that at the time of conjunction the sun and moon are directly in line with the sun thereby no light falls on the crescent. This is far from the truth. The phenomena where the three planetary objects are in a straight line only occur occasionally and are referred to as an eclipse. Hence, experts including Martin Elsasser tell us that instead of the moon being directly in front of the sun it is slightly away from it to an angle of up to 5° at the occurrence of every new moon except during an eclipse. According to the theory of astronomy regarding the new moon the light of the sun will definitely fall on the moon to the extent of the conjunction, due to which there is a possibility of the moon becoming visible.

It has been established that in the recent past as well as the last few decades experts in astronomy have deduced formulae based on the possibility of sighting the moon according to theoretical calculations ranging respectively between 12°, 11°, 10-10.5°, 9°, 7-7.5°, 14.6° and 5°. This difference is clear proof and indication that these calculations are not categorical and definite. Thus just as it is a futile exercise to go about trying to prove the new-moon theory as false using the experiences, common sightings and claims of sightings by Muslims compared to the occasional experiments of experts. Martin Elsasser has clearly said that placing such limits on visibility and ignoring the experience of the observer and visibility conditions is not appropriate in all circumstances as they provide a general guide only.

## Theories are not definite and continually revised

As you have read expert`s varied opinions before, a similar discussion took place on ICOP about the phenomenon of conjunction and Martin Elsasser's response is interesting. Martin refers to conjunction as not one of a 'magical moment' where something happens in an instant.

Martin says it is something that needs further experimentation which may lead to expanding the current limits. Martins imaging experiments demonstrate that there can indeed be a crescent during conjunction depending on the elongation. Martin will be carrying out further intensive experiments to see if current visibility limits can be expanded and we keenly await the results.

## D. McNally`s Opinion (The Observatory Director) on the Principle of Islam

*The following is from a letter dated* 18 January 1994 *by D. McNally (Director of the University of London Observatory) in response to a query made by Hizbul Ulama UK (*The Society of Muslim Scholars in UK);

Dear Mr Miftahi*,* Thank you for your letter of 13 January.

***The reference to conflict with the Koran (Qur'aan) simply refers to an interpretation of the Koran (Qur'aan) that everything must be established by observation and not by theory.*** Very clearly if theory were permitted, it would be simple matter to relate the beginning of the month to the instant of conjunction between the Moon and the Sun.

***This instant of conjunction is only determinable by theory,*** albeit theory derived on observation of the Moon. This would be a simple, straightforward and tidy way to handle the problem. ***My letter merely referred to the fact that it appeared that this was not acceptable to very large sectors of Islam.***

## Prophet`s Shari`ah, the main reason why people follow Saudi moon sighting decision

Everyone is aware of the fact that in Saudi Arabian Government does not interfere in religious matter and Ulamas are independent in their decision. Everyone knows that Saudi follows execute practice of Islam`s Prophet صلى الله عليه وسلم the unconditioned moon sighting with theory of new moon and it`s visibility conditions. The Supreme Judicial council of Saudi (by law every member of the council must be an Islamic Scholar) had a meeting chaired by Chief Justice and prominent Aalim Sheikh Al-Laheedan regarding moon sighting. After a long discussion they declared "Islamic law does not accept the new moon formula, which is based on astronomical calculation. If anyone on Islamic point of view doubt about our moon sighting process for the fasting and the Eid celebration, it is his own weakness. We maintain the sighting procedure based on Prophet's صلى الله عليه وسلم method, e.g. to see the moon on 29th and in case of non visibility we complete the 30th day.

There are many examples of Moon sightings by Muslims, but those who conditions theoretical calculated new moon and it`s visibility to sight the Islamic new moon, didn`t accept the Islamic witnesses such as witnesses from Darul Uloom Leicester, the Ulamas' stature and academia, theirs and other`s testimony for moon sighting of Jumada Al Awwal 1430 on the eve 0f wed 25th April 2009 would not be accepted even though moon was sighted too with binoculars & telescope by Muslims and none Muslims.

Similarly those who rely on theoretical new moon calculations and use it to determine visibility to sight the Islamic new moon didn`t accept the witness for Jumadiul Thani9 1430, which was sighted in Saudi Arabia and declared by Saudi High court as first moon of J. Thani. It was sighted on the eve of Sunday 24th may 2009 which wss predicted to be impossible to sight by calculations.

Clearly, time and again, any real testimony did not and will not fit within their agenda. Muslims particularly Ulama need to take care from being used as a tool against Islam.

However, it was an open experience by the announcement of Saudi High Court for Jumada Thani 1430, even though it was predicted impossible to sight on that evening using calculations. This proved that there is nothing changes in The Islamic Principle for moon sighting after many changes in the Office managements in near past there.

May Allah guide us and strengthen our faith. Aameen.

## A-Fatwaa of Shaikh Bin Baaz رحمه الله

**(Issued to Moulana Suhaib Hasan, Ameer of Jami' ate Ahlul Hadith)**

من عبد العزيز بن عبد الله بن باز إلى حضرة الأخ المكرم الشيخ صهيب حسن عبد الغفار وفقه الله
السلام عليكم ورحمة الله وبركاته وبعد

وصلنى كتابكم المتضمن الخلاف الذى وقع بين المسلمين فى بريطانية عند بدء شهر رمضان ... حول العمل الجارى فى المملكة فى موضوع رؤية الهلال وطلبكم الإفادة عن حقيقة مزاغمه كل ذلك كان معلوما. وافيدكم ... أما دعوى صاحب الفتوى أن السعودية تقدم جوائز لمن يشهد بالرؤية المطابقة للتقويم الرسمى العد. فهذا شئ باطل لا أساس له من الصحة بل هو من كذب الكذابين الذين فى قلوبهم غل الحكومة السعودية. أو من جهلة بعيدة قول كل ناطق. والإعتماد فى إثبات دخول الشهر فى المملكة هو على ثبوت الرؤية لا مطابقة التقويم العد الذى اشار إليه صاحب الفتوى فإن التقويم المذكور معتمد على حسابات فلكية لضبط امور الرسمية المتعلقة بالدولة وعند حصول مخالفته للرؤية فإن الاعتبار بالرؤية لا به والأمثله على ذلك كثيرة مشهورة لا تخفى الخ

*عبد العزيز عبد الله بن باز*

*الرئيس العام لإدارة البحوث الاسلامية*

*The claim that a prize is offered to the person who comes forth first with a sighting of the moon in conformance to the forecast of the common calendar is incorrect and rather a lie from the lies of those who are jealous of the Kingdom of Saudi Arabia. The start of a month in the Kingdom is based on the physical sighting of the moon and not on the forecast because those are based on astronomy-generated calculations used for administrative purposes only and when these calculations are in conflict with the physical sighting of the moon then the sighting is considered and not the forecast of the Ummul Quraa calendar. There are many examples to prove this…*

*Abdul Aziz Bin Abdullah Bin Baaz (Darul Ifta Riyadh, K. Saudi Arabiyah)*

## The opinions of the Deobandi Ulama and the Muftiyan-e-Kiram

# B-Fatawaa by Deobandi Mufti Scholers

We sent the following question with five pages of highlighted information from my book `Sharea Thuboote Hilal, Tareekhe Falakiyyate & Jadid Tahquique`. We have here only the main question to save time, however this book is already on our web site namely**:**

**"Hilal Judgment on Moon Sighting According to Shari'ah, the History of Astronomy & the Latest Research."**

## <u>Question:</u>

Dear Respected Mufti ..................................Esq,

Assalaamu Alaikum wa Rahmatullah wa Barakaatuh

Please answer the following questions. It will be a great pleasure for us. Please answer the following questions. It will be a great pleasure for us.

Can the new-moon theory of the Metone Jewish and Christian Lunar calendar be used in Shari'ah to prove or negate any sighting of the moon?

Will it be acceptable to use such a theory or astronomy based calculations as a guide whereby it results in rejecting of the texts of Qur'aan and Sunnah? Please answer the questions. It will be a great pleasure for us. Hope you keeping well. Remember us in your virtuous Duas.

Maulvi Ya`aqub Ahmed Miftahi
G.Secratory HizbulUlamaUK & CMSC

## (1) Daarul Ifta Darul Uloom Deoband

Having studied the solar and lunar calendar as well as the causes for changes in them and thereafter repeatedly studying the Metone Jewish and Christian new-moon theory it has been concluded that such calculations of astronomy cannot be used as proof in Shari'ah and they cannot be used as a guide as well. The rulings of Shari'ah are based on clear-cut and definite principles whereas the hypothetical new-moon calculations are not definite thus no ruling of Shari'ah will be based on it.

And Allah Ta'aala Knows Best
(Head of Darul Ifta)
**(Mufti) Habeebur Rahman**
**Mufti Daarul Uloom Deoband**
**17 Rabee'ul Awwal 1430**
<u>Answer Confirmed as Correct</u>
(Mufti) Zainul Islam Qasmi (Vice)
(Mufti) Mahmood Hasan Bulandshahri
(Mufti) Waqaar Ali
(Mufti) Fakhrul Islam

## (2) Daarul Iftaa Imaarate Shareayyah Phulwari Sharif, Patna– Bihaar

From the narrations of Hadith we establish that Fasting and Eid are based on the physical sighting of the new-moon which is established by testimony in accordance to the principles of testimony outlined by Shari'ah and the opinion of astronomers is

not considered in this regard even though they may be religiously upright. It is the consensus of Imaam Abu Hanifah, Imaam Maalik and Imaam Ahmad bin Hambal as well as the general body of Jurists (Fuqahaa) رحمهم الله that Fasting and having Eid on the basis of astronomy based calculations in not correct.

Rasoolullah صلى الله عليه وسلم has excluded such calculations from being acceptable as proof in Shari'ah by the Hadith in which he stated that we are an illiterate nation who do not write or count thus the decision pertaining to the new-moon being sighted as well as starting and ending the Fasting month will be only based on a testimony acceptable to Shari'ah. The new-moon theory will not be considered and neither can it be used as a guide as well.

صوموا لرؤيته وأفطروا لرؤيته (مسلم ج١ ص٣٤٧)

Begin and end your Fasting month with the sighting of the new-moon.

لا تصوموا حتى تروا الهلال ولا تفطروا حتى تروه فإن أغمى عليكم فاقدروا له ثلاثين (وفى رواية فعدوا ثلاثين) (مسلم ج١ ص٣٤٧ وأبو داؤد)

Do not begin or end your Fasting month until you sight the new-moon and the new-moon is hidden from you (due to cloud cover etc) then complete the month with thirty days. (Muslim Vol.1/Pg.347)

ولا عبرة بقول الموقتين ولو عدولا على مذهب وقال فى الوهبانية وقول أولوا التوقيت ليس بموجب أى فى وجوب الصوم على الناس وفى النهر فلا يلزم بقول الموقتين أنه أى الهلال يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح .... إن الشارع لم يعتمد الحساب بل ألغاه بالكلية بقوله نحن أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا ... (رد المحتار ج٣ ص٣٥٤-٣٥٥)

The opinion of astronomers is not accepted even though they are religiously upright and in Al-Wahbaaniyyah it is stated that the opinion of astronomers is not binding and this is in relation to Fasting. In An-Nahr it is mentioned that the opinion of astronomers does not necessitate that the moon will appear in the sky on a certain night. This is despite the astronomers being religiously upright as is mentioned to be the correct opinion of the Math-hab. Shari'ah has not given consideration to the opinions of astronomers but has rather refuted it by the words of the Hadith that states that we are an illiterate nation who does not write or count. (Raddul Muhtaar Vol.3/Pg.354-355)
And Allah Ta'aala Knows Best

**Mufti Muhammad**
Daarul Iftaa Imaarate Shar'iyyah
Bihaar-India 29 Jumaadal Ulaa 1430 / 24 December 2009

## (3) Darul Ifta Nadwatul Ulamaa Lukhnow, India

The system of having a calendar did exist during the time of Rasoolullah صلى الله عليه وسلم whereby the Jews used to use one. Despite this, the verbal as well as physical practice of Rasoolullah صلى الله عليه وسلم both prove that only the physical sighting of the moon is a reliable indication to the ending of a month. His statements would rather serve as a rejection of astronomy based calculations whereby he said:

صوموا لرؤيته وافطروا لرؤيته

Begin and end your Fasting with the sighting of the moon,

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذ وهكذ والشهر هكذا وهكذا
We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days.

All the other related Ahaadith prove that the moon should be physically sighted without depending on calculations of any sort. Thus only the physical sighting of the moon will be acceptable and not the use of a calendar system.
And Allah Ta'aala Knows Best

**(Mufti) Masuood Hasan Hasani**
Answer Confirmed as Correct
(Mufti) Niyaz Ahmed Nadvi
Daarul Iftaa
Nadwatul Ulamaa Lukhnow
17 Rabee'ul Awwal 1430

## (4) Darul Ifta Madresah Mazahirul Uloom Saharanpur, India

Astronomy and its theories are not acceptable at all with regards to the sighting of the moon and this is a unanimously accepted fact.

The blessed statement of Rasoolullah صلى الله عليه وسلم in this regard is:
إنا أمة أمية لا نكتب
We are an illiterate nation. We do not know how to write or count.

This means that we do not even know how to write and count let alone base the starting and end of a month on such writing and counting. Mullah Ali Qaari رحمه الله and Allaamah Shaami رحمه الله have both mentioned the consensus of Scholars on the fact that the opinion of astronomers is not accepted. (Mirqaatul Mafaateeh Vol.4/Pg.246 and Shaami Vol.2/Pg.92)

According to the explicit rulings of the Qur'aan and Hadith the basis upon which the start and end of a month depends is the physical sighting of the moon. Thus if the moon is sighted and truly established in accordance to this principle of Shari'ah then the start or end of the month will be established regardless of whether such a sighting was possible or not according to the theories and calculations of astronomy. Likewise if the moon has not been physically sighted on the after the 29th day of an Islamic month the end of that month will not be established even though the theories or calculations of astronomy indicate that it should have been sighted.

As far as using such theories and calculations of astronomy as a guide only, Shari'ah still regards it as undesirable. Shari'ah has expressed dislike for emulating other nations or using their inventions without necessity. Once Rasoolullah صلى الله عليه وسلم saw a certain person holding a Persian bow and prevented him from using it because there was an equally effective Muslim-made bow available.

عن علی رضی الله عنه قال: كانت بيد رسول الله صلى الله عليه وسلم قوس عربية فرأى رجلا بيده قوس فارسية . قال: ما هذه ألقها وعليكم بهذه وأشباهها ورماح أرضنا فإنها يؤيد الله لكم بها فی الدين ويمكّن لكم فی البلاد رواه ابن ماجه (مشكوة ص٢٣٨)

So, since the start and end of a month is based on the physical sighting of the moon and not on astronomy based calculations, it will thus be against the grain of Shari'ah to use such calculations regardless of whether it is for further satisfaction or to support the testimony of someone who sighted the moon.

For the purpose of further satisfaction to the heart on a particular sighting of the moon Shari'ah has stipulated that in the event of the sky being clear it is necessary for a large group of people to have sighted the moon and in the event that the sky it overcast (cloudy), or hazy then it is necessary that the moon should have been sighted by at least two religiously upright men or one man and two women who are all religiously upright. Besides this, Shari'ah does not see the need to adopt any other means to attain satisfaction regarding the sighting of the moon.

And Allah Ta'aala Knows Best

**(Mufti) Muhammad Taahir**
Mazaahirul Uloom, Saharanpur
22 Safar 1430
<u>Answer Confirmed as Correct</u>
(Mufti) Maqsood
22.2.1430

## (5) Jameaah Qaasimiyyah Arabia Kharod, Gujarat, India

If it is established that the Ulamaa and Research Scholars are not unanimous on the fact that the new-moon theory is not reliable then at least this much is certain that the majority of the Ummah are of the opinion that it is not reliable and whatever ruling is contrary to what the majority of the Ummah state will be regarded as unreliable and contrary to precaution. It will never be regarded as correct for anyone to persist on the matter and use such a theory to term a ruling that conforms to opinion of the majority of the Ummah as incorrect.

Allaamah Ibn Aabideen Shaami رحمه الله has added an entire article on this subject in his booklet, 'Tambeehul Wasnaan' in which he has included the rulings of all four Mathaahib on this subject. He writes:

The texts of Hanafi books as well as others unanimously state that the start of the month of Ramadhaan will only be established by the sighting of the moon or by the month of Sha'baan ending with 30 days… thus the forecast of astronomers indicating the date when the moon will be born will not be considered even though such an astronomer is religiously upright and reliable. This is the correct opinion of the Hanafi Mathab. The students and followers of Imaam Abu Hanifah رحمه الله are unanimous on this fact with the exception of some odd individuals. (Rasaail Ibn Aabideen Vol.1/Pg.225)

Thereafter Allaamah Shaami رحمه الله quotes the opinions of Shaafi', Maaliki and Hambali scholars which all conform to what has just been mentioned. (Rasaail Ibn Aabideen Vol.1/Pg.227)

Thus the new-moon theory cannot be used to any degree for proving or negating any sighting of the moon even if it is used simply as a guide. (This is the preferred ruling on this matter.)

And Allah Ta'aala Knows Best

**(Mufti) Shabbir Ahmed Devlavi**
Al Mujib Musibe; **(Mufti) Arif Kanjravi**
Khaadim Jaami'ah Qasmiyah
Kharod
15 February 2009

## (6) Madresah Jaami'ah Nazeeriyyah Kaakosi, Mehsana, Gujarat, India

According to Shari'ah it is not permissible to accept the Jewish or Christian Lunar calendar (which is based on calculations of astronomy). It is also not permissible to use it as a guide if it results in rejecting of the statutory texts of Shari'ah (Nass).

Mufti Rashid Ahmad Ludhyanwi Saahib رحمه الله has written in one of his Fatawaa: 'According to Shari'ah it is not permissible to use the calculations of astronomy to determine the new moon. The whole Muslim Ummah is unanimous on this matter.' (Fathul Baari commentary on Saheeh Bukhari Vol.4/Pg.109 and Umdatul Qaari Vol.10/Pg.287)

Rasoolullah صلى الله عليه وسلم has instructed that the beginning and end of Ramadhaan should be based on the physical sighting of the moon:

صوموا لرؤيته وافطروا لرؤيته

Begin and end your Fasting with the sighting of the moon

If there was scope to adopt the calculations of astronomy he would have instructed us to seek the opinion of astronomers rather than tell us to sight the moon physically especially considering the fact that such calculations entail many aspects of convenience such as:

1. It saves us from the efforts and difficulties of physically searching for the moon.
2. It would save us from differences and disputes.
3. It would make it easy to fix the dates of future events etc.

Despite all these apparent benefits Rasoolullah صلى الله عليه وسلم made it conditional that the moon must be physically sighted. The wisdom behind this is that rather than the activities and worship of the general masses of Muslims being subject to the opinions and decisions of only a few individuals it will be based on the sighting of the general Muslim public.

This will result in their acts of worship being offered with proper insight rather than based on the blind following of certain individuals or becoming mentally enslaved to them since they will now not have the notion of their acts of worship and other affairs being at the mercy of such people. (Ahsanul Fatawaa Vol.4/Pg.482)
And Allah Ta'aala Knows Best

**(Mufti) Aadam Palanpuri**
Madrasah Nazeeriyyah
Kaakosi
29 Muharram 1430 AH

## (7) Daarul Ifta Daarul Uloom Bharuch Kantharia, Gujarat, India

**<u>Answer:</u>**

Ramadhaan and Eid are both based upon the physical sighting of the moon.

A Hadith states:

لا تصوموا حتى تروه ولا تفطروا حتى تروه فإن غم عليكم فاقدروا له (البخارى ج ٢ ص٢٥٦ مسلم ج١ ص٣٧٤)

Rasoolullah صلى الله عليه وسلم said: Do not begin Fasting until you sight the moon (for Ramadhaan) and do not end your Fasting until you sight the moon (for Shawwaal).
If the sky is overcast (cloudy) or dusty due to which you cannot sight the moon then complete the month with thirty days. (Bukhari Vol.2/Pg.256 and Muslim Vol.1/Pg.374)

Another narration states:

الشهر تسع وعشرون ليلة فلا تصوموا حتى تروه فإن غم عليكم فأكملوا العدة ثلاثين (البخارى ج ٢ ص٢٥٦)

A month definitely has twenty-nine nights so do not Fast until you sight the moon for Ramadhaan. If the moon cannot be seen due to clouds, haze or dust then complete the month of Sha'baan with thirty days. (Bukhari Vol.2/Pg.256)

From the two above-mentioned Ahaadith it is established that Rasoolullah صلى الله عليه وسلم based the start of a month on the physical sighting of the moon, and not on the condition that the moon must be present on the horizon or on the condition that sighting of the moon should be logically or theoretically possible. That is why he mentions that if there is some obstruction (clouds or dust) due to which the moon cannot be sighted on the evening after the 29th day of the month then the current month should be completed with thirty days and thereafter the new month should commence.

The late Grand Mufti of Pakistan, Mufti Muhammad Shafee' Saahib رحمه الله has written that the two above-mentioned Ahaadith have been recorded in all the other authentic books of Hadith and none of the Scholars of Hadith have been critical regarding these two Ahaadith, and both mention the fact that the start of Ramadhaan and Eid is based on the physical sighting of the moon.

The word Ru'yah is a famous word of the Arabic language which gives the meaning of seeing something physically with the eyes. If any other meaning is taken or understood then such a meaning will not be the real meaning but rather the figurative meaning. Thus, the objective of the above-mentioned Ahaadith is that all those laws of Shari'ah that are based on the sighting of the moon will necessitate that the moon must be physically sighted by the people. It is thus established that these laws are not based on whether the moon is present on the horizon or not such that if the moon, in fact, present on the horizon but it cannot be

sighted for some reason then these laws of Shari'ah will not consider the presence of the moon on the horizon in such a case.

This meaning derived from the above-mentioned Ahaadith is further explained in the last sentence of either Hadith whereby it is stated that if the moon cannot be physically seen with the eyes then you are not expected to determine the presence or birth of the moon by the way theoretical calculations, or observatory instruments. Rather the Ahaadith instruct us to complete the current month with thirty days in such a case.

Moulana Muhammad Burhaanud Deen Sambhali Saahib, a lecturer at Nadwatul Ulamaa Lucknow has written in one of his articles:
The words of these Ahaadith do not portray any other meaning besides the fact that if the moon is present on the horizon but cannot be physically seen with the eye due to clouds, dust or any other obstruction then the ruling of Shari'ah is that the current month should be completed with thirty days. From this it becomes absolutely clear that the start and end of any month according to Shari'ah is based on the physical sighting of the moon and not on the fact that the moon is present on the horizon or whether it is possible to sight the moon or not. This further establishes that the theoretical calculations of astronomy or the sighting of the new-moon observed with the aid of observatory instruments cannot make up the basis of the laws of Shari'ah.

This is because the most that can be established by the use of such instruments or theories is the possibility of sighting the

new-moon or determining the birth of the new-moon. What actually occurs is that at the end of its cycle, the moon comes directly in line with the sun (which is known as a conjunction) due to which the moon cannot be seen. This lasts for only two or three minutes after which they slowly start separating again and the moon becomes visible after approximately twenty hours. It is clear that according to Shari'ah the stages of the moon from its birth until it can be physically seen by the eye are not acceptable although it is present on the horizon. Once it can be physically seen with the eye it then becomes the basis upon which laws of Shari'ah are applicable.

Even though the above-mentioned Ahaadith very clearly indicate that after adopting the process mentioned in both Ahaadith there is no need for any further supporting proof to confirm whether the month has ended or not, a text from Raddul Muhtaar of Allaamah Ibn Aabideen Shaami رحمه الله is thus quoted:

صرح به علمائنا من عدم الإعتماد على قول أهل النجوم فى دخول رمضان لأن ذلك مبنى على أن وجوب الصوم معلق برؤية الهلال لحديث صوموا لرؤية , وتوليد الهلال ليس مبنيا على الرؤية بل على قواعد فلكية وهى وإن كانت صحيحة بنفسها لكن إذا كانت ولادته فى ليلة كذا فقد يرى فيها الهلال وقد لا يرى , والشارع علق الوجوب على الرؤية لا على الولادة (رد المحتار ج١ ص٢٨٩ مكتبة نعمانية ديوبند و ج٢ ص١٠٠ مكتبة دار الكتب)

Our Ulamaa has clearly stated that the opinion of astronomers is not reliable with regards to the start of Ramadhaan because the compulsion of Fasting is based on the physical sighting of the moon which is established from the Hadith which instructs us to begin and end the Fasting month with the sighting of the moon. The birth of the moon is not based on physical sighting but

rather on principles of astronomy which, even though may be correct in their own right, results in the sometimes not being sighted on the night in which it was born and Shari’ah has based the compulsion of Fasting on physically sighting the moon and not on its birth. (Raddul Muhtaar Vol.1/Pg.289 Maktabah Nu’maaniyyah Deoband and Vol.2/Pg.100 Maktaba Daarul Kutub)

According to the vast majority of Ulamaa it is in conflict with the Ahaadith to base the sighting of the moon on calculated theories of astronomy. One Hadith states:

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذ وهكذ والشهر هكذا وهكذا

We are an illiterate nation. We do not know how to write or count.

Allaamah Teebi رحمه الله offers the following commentary on this Hadith:

إن الإستقصاء فى معرفة الشهر لا إلى الكتاب والحساب كما عليه أهل النجامة (مرقاة المفاتيح ج٤ ص٢٤٤)

Determining of the months is not based on calculations and theories as the astronomers may think. (Mirqaat Vol.4/Pg.244)

ولا عبرة بقول الموقتين ولو عدولا على مذهب الصحيح (الدر المختار ج٢ ص٩٢) أى فى وجوب الصوم على الناس بل فى المعراج لا يعتبر قولهم "بالاجماع" ولا يجوز للمنجم أن يعمل بحساب نفسه وفى النهر فلا يلزم بقول الموقتين أنه أى الهلال يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح كما فى الايضاح . للإمام السبكى

الشافعى تأليف مال فيه إلى اعتماد قولهم لأن الحساب قطعى انتهى ومثله فى شرح الوهبانية قلت ما قاله السبكى رده متأخروا أهل مذهبه منهم ابن حجر والرملى فى شرح المنهاج (الرد المحتار ج٢ ص٩٢)

The opinion of astronomers is not considered even though they are religiously upright according to the correct opinion of the Math-hab. (Durrul Mukhtaar Vol.2/Pg.92) Meaning that their opinion will not be considered with regards to the commencement of Fasting and in Al Mi'raaj it is mentioned that there is consensus on their opinion not being accepted and it is not permissible for them to adopt their own calculations or practice upon them. In An-Nahr it is mentioned that the opinion of astronomers does not necessitate that the moon will appear in the sky on a certain night. This is despite the astronomers being religiously upright as is mentioned to be the correct opinion of the Math-hab in Al-Iedhaah. Imaam Subki As-Shaafi' رحمه الله has indicated in one of his writings that the opinion of astronomers can be relied upon because their calculations are definite. A similar opinion is mentioned in Sharhul Wahbaaniyyah to which I respond that what Imaam Subki رحمه الله has stated has been refuted by Scholars of his own Math-hab such as Haafiz Ibn Hajr رحمه الله and Ar-Ramli رحمه الله in Al-Minhaaj. (Raddul Muhtaar Vol.2/Pg.92)

The final say in determining the start or end of a month does not lie with the astronomers. Mullah Ali Qaari رحمه الله mentions this fact in the following text:

إن العمل على ما يعتاده المنجمون ليس من هدينا وسنتنا بل علمها يتعلق برؤية الهلال فإنا نراه مرة تسعا وعشرين ومرة ثلاثين (مرقاة ج٢ ص٢٤٤)

It is not from the teachings of Islam to adopt the practice of the astronomers. The new moon is rather established by physically sighting the crescent, so we sometimes sight it after twenty-nine days and sometimes after thirty days. (Mirqaat Vol.4/Pg.244)

The following text is quoted from Al-Fiqhu 'Alaa Mathaahibil Arba':

هل يعتبر قول المنجم؟ لا عبرة بقول المنجمين فلا يجب الصوم عليهم ولا على من وثق بقولهم لأن الشارع علق الصوم على إمارة ثابتة لا تتغير أبدا وهى رؤية الهلال أو إكمال العدة ثلاثين يوما . أما قول المنجمين فهو إن كان مبنيا على قواعد رقيقة فإنا نراه غير منضبط بدليل اختلاف آرائهم فى أغلب الأحيان وهذا هو رأى ثلاثة من الأئمة وخالف الشافعية فإنهم قالوا يعتبر قول المنجم فى حق نفسه وحق من صدقه ولا يجب الصوم على عموم الناس بقوله على الراجح

The opinion of astronomers is not reliable so Fasting will not be compulsory on them nor on those who accept their opinion as reliable because Shari'ah has based the start of Fasting on such a firmly established sign that will never change and that is the physical sighting of the moon or the completion of a month with thirty days. As for the opinion of astronomers, even though it is based upon intricate principles we find that it is not consistent and this is proven by them differing in their opinions in most cases. This is the opinion of the three of the four Imaams of Fiqh (Jurisprudence the Imaam Abu Hanifah, Imaam Maalik and Imaam Ahmad bin Hambal رحمهم الله). The view of the Shaafi' Math-hab is that opinion of astronomers will be reliably accepted in relation to themselves as well as those who accept their opinion. However, according to the preferred opinion it will not be

compulsory for the general public to Fast due to the opinion of astronomers.

The following is mentioned in Fatawaa Taataar Khaaniyyah:

وذكر السرخسى رحمه الله فى كتاب الصوم وقول من قال يرجع إلى قول أهل الحساب عند الإشتباه بعيد فإن النبى صلى الله عليه وسلم قال من أتى كاهنا أو عرافا فصدقه بما يقول فقد كفر بما أنزل على محمد (التاتارخانية ج٢ ص٣٥٦)

The view of any person who says that the matter will be decided on the opinion of astronomers in the event of uncertainty, is very far from true because Rasoolullah صلى الله عليه وسلم said: Whoever goes to a fortune-teller and believes what he says then such a person has indeed disbelieved in that which was revealed to Muhammad صلى الله عليه وسلم. (Taataar Khaaniyyah Vol.2/Pg.356)

The conclusion of this discussion is that there is no permissibility at all in Shari'ah for the Metone Jewish and Christian Lunar calendar or its hypothetical astronomy calculations to be adopted. To use it as a guide is contrary to the outlook of Shari'ah.

And Allah Ta'aala Knows Best

**(Mufti) Abdullah Kaviwala**
Darul Uloom, Kantharia
28 Muharram 1430 AH
(Seal of Darul Ifta**)**

## (8) Darul Ifta Madrasah Daarut Tarbiyah Karmali, Gujarat, India

الحمد لله رب العلمين وبه نستعين ونصلى ونسلم على سيدنا محمد بن عبد الله خاتم النبيين

All praise is due to Allah, the Rabb (Creator and Sustainer) of the universe and it is from Him alone that we seek assistance. We convey Benedictions and Greetings of Peace (Salaat and Salaam) to our Guide and Master, Muhammad Ibn Abdillah, the last and final of all Prophets and Messengers.
Respected and Honoured Hadhrat Moulana Ya'qub Miftahi Saahib (May Allah Guard and Protect you)

السلام عليكم ورحمة الله وبركاته

I hope you are in the best of health! We received your query through our Principal and on behalf of all the staff of our Madrasah I wish to express our gratitude to you from the bottom of our hearts for having remembered us by affording us the opportunity to serve the cause of Allah in an academic manner. (May Allah grant you the best of rewards in this world as well as the hereafter!)

We received your query through our Principal and on behalf of all the staff of our Madrasah I wish to express our gratitude to you from the bottom of our hearts for having remembered us by affording us the opportunity to serve the cause of Allah in an academic manner. (May Allah grant you the best of rewards in this world as well as the hereafter!)

After having received your query I researched our former and latter day Tafseer, Hadith and Fiqh (Jurisprudence) books. What I have concluded is exactly what seems to emanate from the facts and issues raised in your query, in that the Metone Jewish and Christian Lunar calendar as well as the new-moon theory cannot be used to prove or negate anything since they are contrary to the clear rules and guidelines of Shari'ah. Such a calendar or theory cannot even be used to verify the testimony of any witnesses. Although some of the latter-day Jurists do allow the use of such a system as a guide to determine the possibility of sighting the new-moon, I do not see any apparent reason to do so.

With regards to the laws pertaining to the moon Allah states in the Qur'aan:

يَسْئَلُوْنَكَ عَنِ ٱلأَهِلَّةِ قُلْ هِىَ مَوَاقِيْتُ لِلنَّاسِ

There are two narrations relating to the reason pertaining to the revelation of this Verse. The first narration states that Mu'aath Ibn Jabal and Tha'labah Ibn Ghanam Al-Ansaari رضى الله عنه both asked صلى الله عليه وسلم as to why the moon does not remain one size but rather appears very thin and then increases in size until it appears as a full moon and thereafter decreases until it reaches the size it was when it first appeared. (Tafseer Maz-hari Vol.1/Pg.237)

The second narration states that Rasoolullah صلى الله عليه وسلم was asked regarding the moon and its phases so Allah Revealed this Verse and Rasoolullah صلى الله عليه وسلم said that Allah made the

phases of the moon a means of determining the time for starting and ending the Fasting month as well as for the Iddah period of women and also for their general affairs.

However the Qur'aan does not specify as to whether these rulings are based on the appearance of the moon on the horizon or the physical sighting of the moon. The detail of this is then explained in a Hadith of Rasoolullah B quoted by Ibn Katheer in his Tafseer:

عن ابن عمر رضى الله عنمها قال قال رسول الله صلى الله عليه وسلم: جعل الله الأهلة مواقيت للناس فصوموا لرؤيته وافطروا لرؤيته فإن غم عليكم فعدوا ثلاثين يوما (تفسير ابن كثير ج٢ ص٢٩٥)

Ibn Umar رضى الله عنهما reports that Rasoolullah صلى الله عليه وسلم said: 'Allah has made the new moon as a sign for the people to determine time, so begin the Fasting (month) when you see it and end the Fasting (month) when you see it. If the sky is overcast (cloudy) then complete the month with thirty days.' (Tafseer Ibn Katheer Vol.2/Pg.295)

The following is mentioned in a narration recorded in Bukhari:

إذا رأيتموه فصوموا وإذا رأيتموا فافطروا فإن غم عليكم فاقدروا له

When you see the moon then begin the Fasting month and end the Fasting month when you see the moon. If the sky is overcast (cloudy) then count the days (to complete the month with thirty days). (Saheeh Bukhari Vol.1/Pg.255)

Another narration recorded in Bukhari states:

فإن غم عليكم فأكملوا العدة ثلاثين

If the sky is overcast then complete the count as thirty days. (Saheeh Bukhari Vol.1/Pg.256)

A third narration recorded in Bukhari states:

إنا أمة أمية لا تكتب ولا نحسب الشهر هكذا وهكذا يعنى مرة تسعا وعشرين ومرة ثلاثين

We are an illiterate nation who do not write or count. A month will have either twenty nine or thirty days. (Bukhari Vol.1/Pg.256)

These narrations are found in almost all the books of Hadith and the Muhaddithieen are unanimous on their authenticity.

These narrations clearly express that the beginning of a month will be determined by the physical sighting of the moon and not by the appearance of the moon on the horizon. The Arabic word 'Ru'yah' means to see something with the eyes. It does not give the meaning of having the knowledge of the existence of something. So the meaning of the Ahaadith will be that whatever laws are based on the sighting of the moon will require that the moon must be physically sighted.

Thus, it is established that determining the dates of months or years on the basis of theoretical calculations is not acceptable in Shari'ah, such that even if the moon is present on the horizon but it cannot be seen with the eye, Shari'ah will not give any regard to its presence on the horizon.

This is further clarified by the Hadith that states: If the moon cannot be seen due to the sky being cloudy then complete the month with thirty days. This instructs us to complete the month with thirty days when the sky is overcast (cloudy). It does not state the permissibility of basing the start or end of a month on a theory based calendar.

Allaamah Ibn Hajr Asqalaani رحمه الله comments on this Hadith as follows:

ويوضحه قوله فى الحديث الماضى "فإن غم عليكم فأكملوا العدة ثلاثين" ولم يقل فسئلوا أهل الحساب

The ruling becomes clear in the above-mentioned Hadith: If the moon cannot be seen due to the sky being cloudy then complete the month with thirty days. Rasoolullah صلى الله عليه وسلم did not say that we should rather ask the astronomers. (Fat-hul Baari Vol.2/Pg.151)

All the Fuqahaa (Jurists) are of the opinion that such calculations and theories are not reliable.

Allaamah Ibn Aabideen Shaami رحمه الله writes:

ولا عبرة بقول الموقتين أى فى وجوب الصوم على الناس بل فى المعراج لا يعتبر قولهم "بالاجماع" ولا يجوز للمنجم أن يعمل بحساب نفسه وفى النهر فلا يلزم بقول الموقتين أنه أى الهلال يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح (رد المحتار ج٢ ص٣٨٧)

The opinion of astronomers is not considered even though they are religiously upright according to the correct opinion of the Math-hab. Meaning that their opinion will not be considered with regards to the commencement of Fasting and in Al Mi'raaj it is mentioned that there is consensus on their opinion not being accepted and it is not permissible for them to adopt their own calculations or practice upon them. In An-Nahr it is mentioned that the opinion of astronomers does not necessitate that the moon will appear in the sky on a certain night. This is despite the astronomers being religiously upright as is mentioned to be the correct opinion of the Math-hab. (Raddul Muhtaar Vol.2/Pg.387)

The following is mentioned in Al Fiqhul Islam Wa Adillatuhu:

ولا يجب الصوم بالحساب والنجوم ولو كثرت إصابتهما لعدم استناده لما يعول عليه شرعا

Fasting will not become compulsory due to the opinion of astronomers even if they happen to be frequently correct because of there not being any Shar'i basis to adopt their opinion. (Al-Fiqhul Islaami wa Adillatuhu Vol.2/Pg.602)

The following is mentioned in Fatawaa Ibn Taymiyyah:

ولا ريب أنه ثبت بالسنة الصحيحة واتفاق الصحابة أنه لا يجوز الإعتماد على حساب النجوم كما ثبت عنه فى الصحيحين أنه عليه السلام قال إنا أمة أمية لا نكتب ولا نحسب صوموا لرؤيته وأفطروا لرؤيته

There is no doubt in the fact that the Sunnah as well as the consensus of the Sahaabah رضى الله عنهم establishes that it is not permissible to base the sighting of the moon on the opinion of

astronomers as is stated in a Hadith recorded in both Bukhari and Muslim:

إنا أمة أمية لا نكتب ولا نحسب صوموا لرؤيته وأفطروا لرؤيته

We are an illiterate nation. We do not know how to write or count. Begin and end your Fasting month with the sighting of the moon. (Majmoo' Fatawaa Ibn Taymiyyah Pg.208)

All these above-mentioned quotations express that the calculations of astronomy-based calendars are unreliable.

Below is a brief discussion pertaining to the objections raised regarding the non-acceptance of the lunar calendar based on the new-moon theory.

One particular question that is raised is that there was a time when Fatwaa was issued regarding the impermissibility of using a loud speaker (Public Address System) for Salaah. Thereafter sue to a change in the era there was also a change of opinion which resulted in a Fatwaa being issued permitting its use. So what is the problem if the physical sighting of the moon is replaced by the lunar calendar?

The answer to this is that the opinions of the Ulamaa differed due to the difference of opinion that existed among audio experts (sound experts). However, when the audio experts all agreed that the voice amplified by the loud speaker was in fact the actual voice of the person speaking then the Ulamaa also gave a unanimous ruling on the permissibility of its use. As for

the lunar calendar, there is still no consensus among the experts in astronomy.

Another fact is that the loud speaker was a new invention which was not present in the time of Rasoolullah صلى الله عليه وسلم. So when it was invented the Ulamaa gave their ruling based on the research and deduction that they had conducted. However, Shari'ah has made it a condition that the moon must be physically sighted for it to be established and such a ruling does not allow for any change to be made to it by deduction.

Another argument that is posed is that during the time of Rasoolullah صلى الله عليه وسلم the reason for basing the start and end of the months on the physical sighting of the moon was because, according to some astronomers, the calendar was not yet invented. Now that it has been invented we should use it as a basis for calculating dates.

The answer to this is that this argument is raised due to such people having a lack of knowledge regarding the fact that the calendar system has been running from very long time in history. In this regard an article of Mufti Shafee' Saahib رحمه الله is quoted in Dars e Tirmidhi:

'At this point an argument is raised stating that during the time of Rasoolullah صلى الله عليه وسلم they gave consideration to the physical sighting of the moon and not its presence on the horizon because they did not have any other means to sight the moon or even to determine its presence on the horizon.

It's not a hidden fact for those who are well versed in the subject of history that the study of mathematics was prevalent a long

time before the period of Rasoolullah صلى الله عليه وسلم and even during the time of Rasoolullah صلى الله عليه وسلم there were observatories in Egypt, Shaam (Syria), India and other areas as well.

With regards to this many authentic proofs can be presented. Thereafter the countries of Egypt and Shaam had come under the Islamic Empire during the era of Umar رضى الله عنه whereby many experts in various academic fields were available. If for arguments sake we agree that such means were not available during the time of Rasoolullah صلى الله عليه وسلم then how is it possible that such an intelligent ruler as Umar رضى الله عنه maintained a ruling that was based on the unavailability of means yet they became available in his period of Khilaafah. However, history bears witness to the fact that the ruling of basing the start and end of the months on the physical sighting of the moon was adopted in the era of all the righteous Khulafaa as a principle up to this age. (Dars e Tirmidhi Vol.2/Pg.523-524 Ref: Ru'yat e Hilaal Pg.19-20)

After having presented this excerpt I do not see the need to mention anything further, however I hereby present two excerpts relating to the extent that mathematical calculations are acceptable;

1. Mufti Taqi Uthmaani Saahib mentions in Dars e Tirmidhi that the famous scholar on mathematics, Abu Rayhaan Al-Berooni, has clearly mentioned in his book Al-Aathaarul Baaqiyah, that it is not possible to establish a definite calculation regarding the new-moon. Abu Rayhaan Al-Berooni is that renowned scholar regarding whom the Russian Scientists have acknowledged that they have invented Rockets and satellites on the basis of his research.

2. An article of Mufti Burhaanud Deen Sambhali Saahib which was published in Al-Furqaan (Jan 1992) is recorded in the footnotes of Fatawaa Raheemiyyah (Vol.7/Pg.227). An excerpt of that article is presented below:

**<u>It is not possible to pre-determine the Sighting of the New-moon</u>**

A well-known author and secular graduate from Pakistan, Dhiyaaud Deen Saahib has written many impressive articles on the subject of 'moon-sighting'. A collection of these articles has been published from London in the form of a booklet.

Dhiyaaud Deen Saahib had written to the Physics and astronomy department of the Observatory at the University of London, enquiring about matters pertaining to moon-sighting. The answer he received is rendered in brief below:

Regarding your query relating to whether experts in the field of astronomy have arrived at such a formula by which the evening on which the new-moon would be sighted with certainty can be determined, unfortunately the answer is in the negative.

The professor who answered this query then later states that in reality no theory can be formulated regarding the sighting of the moon and unfortunately in my opinion there is no scientific formula which can fulfil the necessary condition (of physically observing the new-moon) as stipulated by Islam. ('Moon-sighting In the Present Age' by Dhiyaaud Deen – Published in London)

Ziyaaud Deen has also included a translation of the Astronomy Paper No. 6 issued by the Science Research Council of the world renowned Greenwich Observatory. Part of it is presented below:

It is not possible to forecast the dates on which the new moon will be physically visible because no such reliable and fully dependable observation is available which can be used to formulate such conditions that would suffice to determine when the new moon will be visible for the first time.

He further writes that it becomes clear that any forecast relating to the sighting of the new moon is not definite. All this detail serves to further establish the truth and practicality of the statement of صلى الله عليه وسلم whereby he said:

إنا أمة أمية لا تكتب ولا نحسب الشهر هكذا وهكذا يعنى مرة تسعا وعشرين ومرة ثلاثين

We are an illiterate nation who do not write or count. A month will have either twenty nine or thirty days. (Bukhari Vol.1/Pg.256)

He then writes that Shah Waliullah Saahib رحمه الله comments on this Hadith saying that the laws of Shari'ah are based on apparent signs and not on the intricacies of any faculty or its calculations and theories. In fact, Shari'ah has prevented us from even attempting to base the laws of Shari'ah on such calculations etc. (Hujjatullahil Baalighah Vol.3/Pg.51)

And Allah Ta'aala Knows Best

**(Mufti) Sa'adatullah Khan, (Mufti) Muhammad Idrees, (Mufti) Irfaan, (Mufti) Sulaiman bin Ya'qub**
(Date as post office stamp 11 Feb 2009
(Seel Daarut Tarbiyah, Karmali)

## C-Fatawaa : Another Question & Response

### The following questions were sent by the Central Moon sighting Committee of Great Britain to various Daarul Iftaa and Mufti Scholars.

Respected Moulana Mufti ..............................Esq.

السلام عليكم ورحمة الله وبركاته

Due to the different phases that we see of the moon as well as certain times when we do not see it the astronomers have formulated the following theory:

a) When the light of the sun shines on the part of the moon facing the earth the moon is seen in its different phases from being a crescent to becoming a full moon and thereafter diminishing once again and at the end of the month due to the sun and moon appearing in line with one another which is known as a conjunction the light of the sun does not shine on the part of the moon facing the earth thus the moon cannot be seen. When the moon moves ahead from this point the light of the sun once again shines on the part of the moon facing the earth (creating what is known as the new moon according to astronomy) whereby the moon then goes through its different phases yet again.

b) They have formulated principles which govern and forecast the possibility of sighting the moon. They claim that the moon cannot be sighted a few hours before the birth of the new moon

and likewise at the time of birth until a specified amount of hours after birth.

(These principles are regarded as a theory by observatory officials and the meaning of 'theory' according to a famous English dictionary is mentioned below.)

**A speculative or conjectural view or idea, a set of hypotheses related by logical or mathematical arguments to explain and predict a wide variety of connected phenomena in general terms: in general the theory of relativity. Pp 1587 Collins Millennium Edition 1998**

After this introductory note the following question are being posed:

What is the status in Shari'ah of the theory mentioned in section A?

Has Rasoolullah صلى الله عليه وسلم stipulated it as being conditional for the sighting of the moon on the evening after the 29th day to be in conformance to this theory before any testimony of a sighting can be accepted?

Will the testimony of someone who sighted the moon be rejected if he saw the moon contrary to the new-moon theory and principles governing the possibility of the moon being sighted? Or should the testimony be accepted once it meets the conditions stipulated by Shari'ah? (Regardless of such a sighting being rejected by the observatory based on their principles governing the possibility of sighting the moon.)

(**<u>Note</u>**: During the era of Rasoolullah صلى الله عليه وسلم the Jews used to commence their month with the birth of the new moon based on calculations of astronomy.)

والسلام

Maulvi Ya'qub Ahmad Miftahi
G. Secretary, Hizbul Ulamaa UK &
The Central Moon sighting Committee of G. Britain
6 Shawwal1428 17 October 2007

## (9) Daarul Ifta Darul Uloom Deoband

Scholars has outlined that regarding moon sighting scientific explanations and calculations are not worthy at all. Because these are based on imaginary prospections, not acurate whatsoever. Standard criteria for moon sighting is "looking by naked eye". Prophet (s it.a.w) said "keep your fast by sighting the moon and observe Eid by sighting it too". i.e decide the matter of moon after sighting. This is absolutely correct criteria.

And Allah Ta'aala Knows Best

(Head of Darul Ifta)
**(Mufti) Habeebur Rahman**
**Mufti Daarul Uloom Deoband**
**14Zilhajj1428**
<u>Answer Confirmed as Correct</u>
(Mufti) Zafiruddin

## (10) Jameaah Khairul Madaaris Multan, Pakistan

According to the rulings of the Jurists the opinion of astronomers is not considered with regards to Fasting, Salaah and Eid. Allaamah Haskafi رحمه الله writes:

لا عبرة بقول الموقتين ولو عدولا على المذهب

The opinion of astronomers will not be considered even if they are regarded as upright.

Allaamah Shaami رحمه الله then comments as follows: أى فى وجوب الصوم على الناس

Their opinion will not be considered with regards to the commencement of Fasting.

Ibn Daqeeq Al Eid رحمه الله says: لا يجوز الإعتماد عليه فى الصلوة
Such calculations cannot be relied upon with regards to Salaah.

The following is mentioned in An-Nahr: وفى النهر فلا يلزم بقول الموقتين أنه أى الهلال يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح

The opinion of astronomers does not necessitate that the moon will appear in the sky on a certain night. This is despite the astronomers being religiously upright.

The following is mentioned in Wahbaaniyyah:

وقول أولوا التوقيت ليس بموجب

The opinion of astronomers is not binding.

The following appears in Al-Mi'raaj regarding the opinion of astronomers:

فى المعراج لا يعتبر قولهم "بالاجماع" ولا يجوز للمنجم أن يعمل بحساب نفسه

There is consensus on their opinion not being accepted and it is not permissible for them to adopt their own calculations and practice on them.

Allaamah Shihaab Al Ramli As-Shaafi' رحمه الله states that Rasoolullah J dismissed the calculations of the astronomers as futile:

ووجه ما قلناه أن الشارع لم يعتمد الحساب بل الغاه بالكلية بقول نحن أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا (رد المحتار ج٢ ص٩٢)

The reason for what we have stated is that Rasoolullah J did not rely on calculations but rather dismissed them as totally irrelevant by saying that we are an Illiterate nation that does not write or count. The month will have either 29 or 30 days. (Shaami Vol.2 Pg.92)

It is only Allaamah Subki رحمه الله who holds the opinion, as indicated in one of his writings, that the opinion of astronomers as reliable:

قلت ما قاله السبكى رده متأخروا أهل مذهبه منهم ابن حجر والرملى فى شرح المنهاج (الرد المحتار ج٢ ص٩٢)

What Allaamah Subki رحمه الله has stated has been refuted by Scholars of his own Math-hab such as Ibnu Hajr and Ar-Ramli in Al-Minhaaj. (Raddul Muhtaar Vol.2/Pg.92)

**Answer 3:**

Allaamah Ramli رحمه الله was asked this very question and he responded by saying:

فاجاب بأن المعمول به فى المسائل الثلاث ما شهدت به البينة لأن الشهادة نزلها الشارع منزلة اليقين (رد المحتار ج٢ ص٩٢)

The accepted practice is that which is proven and Shari'ah has granted testimony the status of being definite. (Raddul Muhtaar Vol.2/Pg.92)

In conclusion the sighting witnessed physically and testified for will be considered even though the calculations of the astronomy declare it impossible to sight the moon. According to the question since such calculations are hypothetical they will have no effect on the sighting of the moon being established. And Allah Ta'aala Knows Best!

**(Mufti) Muhammad Abdullah 20 Muharram 1429**
(Seal of Jameaah Khairul Madaaris Multan, Pakistan 21-11429/31 January 2008)

## (11) Daarul Uloom Falaahe Daarian Tadkeshwar, Gujarat, India

With regards to the logic-based theory of astronomy being acceptable in Shari'ah the Hanafi Jurists have three opinions as outlined by Allaamah Shaami رحمه الله in his booklet 'Tambeehul Ghaafil wal Wasnaan 'Alaa Ahkaami Hilaali Ramadhaan' which a condensation of over fifty books on the Jurisprudence of the four Imaams. After quoting various quotations from the different books Allaamah Shaami رحمه الله writes:

رجعنا إلى أصل السنة فنقول الحاصل أن للمتأخرين ثلاثة أقوال نقلها الإمام الزاهدى فى القنية (الأول) ما قاله القاضى عبد الجبار وصاحب جمع العلوم أنه لا بأس بالإعتماد على قول المنجمين (الثانى) ما نقله عن ابن مقاتل أنه كان يأتهم وبعتمد على قولهم إذا اتفق عليه جماعة منهم (الثالث) ما نقله عن شرح الإمام السرخسى أن الرجوع إلى قولهم عند الإشتباه بعيد لجديث من أتى كاهنا الخ

On the basis of the actual Sunnah teachings the latter-day Scholars have three opinions which Imaam Zaahidi رحمه الله has recorded:

1) The opinion of Qaadhi Abdul Jabbaar رحمه الله is that there is no problem in considering the opinion of astronomers.

2) Ibn Muqaatil رحمه الله used to accept the opinion of astronomers if there was consensus of a group from among them.

3) The opinion by Imaam Sarakhsi رحمه الله is that in the event of uncertainty we cannot refer to their opinion because of the Hadith that prohibits us from seeking the predictions of astrologers.

However the third opinion is the preferred view and Allaamah Shaami رحمه الله has mentioned that Imaam Zaahidi رحمه الله has quoted the following in Qinyah from Shamsul A'immah Al-Halwani رحمه الله:

إن الشرط عندنا فى وجوب الصوم والإفطار برؤية الهلال ولا يؤخذ فيه بقول المنجمين

The start and end of the fasting period according to us is based on the physical sighting of the moon and the opinion of astronomers will not be considered.

Thereafter he quotes the following from Majdul A'immah:

إنه اتفق أصحاب أبى حنيفة إلا النادر والشافعى أنه لا اعتماد على قول المنجمين فى هذا

Besides the few odd Scholars the rest of the Hanafi Scholars as well as the Shaafi Scholars have a consensus on the opinion of astronomers not being acceptable.

Ibn Wahbaan رحمه الله has also mentioned all three opinions in his Manzoomah and has given preference to the third view:

وقول أولى التوقيت ليس بموجب

The opinion of astronomers is not binding. The following is mentioned in Durrul Mukhtaar

لا عبرة بقول المنجمين ولو عدولا على المذهب

The opinion of astronomers is not considered even if they are religiously upright.

The following is quoted in Bahrur Raaiq from Ghaayatul Bayaan:

من قال يرجع إلى قولهم فقد خالف الشرع

Whoever says that we should refer to the opinion of astronomers is in conflict with Shari'ah.

The following is quoted from Me'raajud Diraayah:

ولا يعتبر قول المنجمين بالإجماع ومن رجع إلى قولهم فقد خالف الشرع

The opinion of astronomers is not considered by consensus and whoever refers to their opinion is in conflict with Shari'ah.

The proof of this is the Narrations which indicate that the beginning and end of fasting is based on the physical sighting of the moon and not on the knowledge of its presence.

والأولى الإستدلال بالأحاديث الدالة على اعتبار الرؤية لا العلم فإنه J قال صوموا لرؤيته وافطروا لرؤيته (وقال) فإن غم عليكم فاكملوا العدة (ولم يقل فاسئلوا أهل الحساب بل قال) نحن أمة أمية لا نكتب ولا نحسب ...

Allaamah Shaami رحمه الله writes the following at the end:

علم أنه لا اعتماد على ما يقوله علماء النجوم والحساب فى اثبات الشهر لعدم اعتباره فى الشرع المعلق فيه وجوب الصوم أو الفطر على الرؤية لا على القواعد الفلكية

It has been established that the opinion of astronomers will not be considered with regards to establishing the commencement of a month since Shari'ah basis the start and end of fasting on the physical sighting of the moon and not on theoretical calculations of astronomy.

The following has been established from this discussion:

1) The new-moon theory of astronomy is not acceptable nor is it reliable.

2) Rasoolullah J has not based the acceptance or rejection of a testimony on the sighting of the moon on principles of astronomy but rather based the acceptance of a testimony on the conditions of Shari'ah being met in this regard.

3) Once the conditions of Shari'ah regarding testimony are met then the testimony will be accepted regardless of whether it conforms to the principles governing the possibility of it being sighted or not.

A similar discussion is clearly dealt with in this manner in the Shaafi' Math-hab whereby Allaamah Ramli رحمه الله was asked regarding the Fatwaa of Allaamah Subki رحمه الله who says that the opinion of astronomers will be considered if they forecast that the moon will not be visible on a certain night:

وعبارة والده (الرملى) فى فتاواه سئل عن قول السبكى لو شهدت بينة برؤية الهلال ليلة الثلاثين من الشهر وقال الحساب بعدم امكان الرؤية تلك الليلة عمل بقول الحساب لأن الحساب قطعى والشهادة ظنية واطال الكلام فى ذلك فهل يعمل على ما قاله أم لا الخ ؟

فاجاب بأن المعمول فى المسائل الثلاثة ما شهدت به البينة لأن الشهادة نزلها الشارع منزلة اليقين وما قاله السبكى مردود ووجه ما قلناه أن الشارع لم يعتمد الحساب بل الغاه بالكلية بقول نحن أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا ... وقال ابن دقيق العيد الحساب لا يجوز الإعتماد عليه فى الصيام انتهى والامثالات التى ذكرها السبكى بقوله ولأن الشاهد قد يشتبه عليه الخ لا أثرلها شرعا لإمكان وجودها فى غيرها من الشهادات انتهى كلام الرملى الكبير

Allaamah Shihaab Ar-Ramli Ash-Shaafi' رحمه الله writes in his Fatawaa that he was asked about the opinion of Allaamah Subki رحمه الله in which he says that if the moon is sighted on the 30th night of the month (evening after the 29th day) and witnesses testify to this but the astronomers say that it is not possible to sight the moon on that particular night then the opinion of the astronomers will be adopted because their calculations are definite whereas the sighting that was observed is not. In response to this Allaamah Shihaab رحمه الله writes that the testimony given according to Shari'ah will be applicable because Shari'ah has granted testimony the status of certainty and the opinion of Allaamah Subki رحمه الله will be rejected because Rasoolullah صلى الله عليه وسلم did not rely on and accept the opinion of astronomers but had rather declared them futile efforts by stating that we are an illiterate nation who do not write or count. The month will comprise of either 29 or 30 days. Ibn Daqeeq Al-Eid رحمه الله theoretical calculations cannot be relied upon…. The argument presented by Allaamah Subki رحمه الله regarding the fact that a witness may be confused over what he has seen does not have any effect since it can be countered by saying that all other forms of testimony will also have the same possibility.

**It will not be correct for any Moon-sighting Committee to base the acceptance of a testimony on the possibility of sighting the moon**.

When a testimony has been accepted according to the principles of Shari'ah then it will be permissible for other areas to adopt the news of this sighting as long as there are no other restrictions of Shari'ah applicable. Once a testimony is in conformance to all the conditions dictated by Shari'ah then the sighting will be established.
And Allah Ta'aala Knows Best!

**(Mufti) Waheedud Deen**
Daarul Uloom Falaahe Daarain
Tadkeshwar, Surat, India (17 Safar 1429 AH)

## (12) Darul Ifta Mazahirul Uloom Saharanpur, India

The laws of Islam have been based on such simple and easy methods which are easy to comprehend. They are not based on the intricacies of astronomy and theological calculations which require great instruments and formalities. If the basis of Islamic laws was on such intricacies then Rasoolullah صلى الله عليه وسلم would have received divine revelation regarding it and he would have taught it to his Companions who would have in turn propagated it.

Allaamah Subki Shaafi' رحمه الله has regarded the opinion of astronomers as reliable but his opinion has been rejected by Shaafi' Scholars such as Allaamah Ibn Hajar رحمه الله Allaamah Ramli رحمه الله Allaamah Shaami رحمه الله mentions the following:

ولا عبرة بقول الموقتين ولو عدولا على مذهب الصحيح (الدر المختار ج٢ ص٩٢) أى فى وجوب الصوم على الناس بل فى المعراج لا يعتبر قولهم "بالاجماع" ولا يجوز للمنجم أن يعمل بحساب نفسه وفى النهر فلا يلزم بقول الموقتين أنه أى الهلال يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح كما فى الايضاح . للإمام السبكى الشافعى تأليف مال فيه إلى اعتماد قولهم لأن الحساب قطعى انتهى ومثله فى شرح الوهبانية قلت ما قاله السبكى رده متأخروا أهل مذهبه منهم ابن حجر والرملى فى شرح المنهاج (الرد المحتار ج٢ ص٩٢)

The opinion of astronomers is not considered even though they are religiously upright according to the correct opinion of the Math-hab. (Durrul Mukhtaar Vol.2/Pg.92) Meaning that their opinion will not be considered with regards to the commencement of Fasting and in Al Mi'raaj it is mentioned that there is consensus on their opinion not being accepted and it is not permissible for them to adopt their own calculations and practice on them. In An-Nahr it is mentioned that the opinion of astronomers does not necessitate that the moon will appear in the sky on a certain night. This is despite the astronomers being religiously upright as is mentioned to be the correct opinion of the Math-hab in Al-Iedhaah. Imaam Subki As-Shaafi' رحمه الله has indicated in one of his writings that the opinion of astronomers can be relied upon because their calculations are definite. A similar opinion is mentioned in Sharhul Wahbaaniyyah to which I respond that what Imaam Subki رحمه الله has stated has been refuted by Scholars of his own Math-hab such as Haafiz Ibn Hajr رحمه الله and Ar-Ramli رحمه الله in Al-Minhaaj. (Raddul Muhtaar Vol.2/Pg.92)

The Hadith has made physical sighting of the moon the basis thus once the moon has been sighted according to the principles of Shari'ah then the sighting of the moon will be regarded as

established. The theory mentioned in the question is not the basis for determining the moon and thus cannot be used to prove anything.

**Mufti Muhammad Taahir 12 Muharram 1429 AH**
Daarul Iftaa Mazaahirul Uloom
Saharanpur, India

## (13) Darul Ifta Jameaah Miftaahul Uloom Sargodha, Pakistan

1. It is necessary to abide by the principles of Shari'ah outlined by Rasoolullah صلى الله عليه وسلم when establishing the new-moon. Thus it is mentioned in 'Falkiyaat Jadeedah' authored by Moulana Muhammad Moosa Roohaani Saahib رحمه الله Has the moon-sighting committee being established so that its members can pass a decision in conformance to scientific research? No! No! It is rather their duty to take testimony for the Eid moon in conformance to the principles of Shari'ah. (Falkiyaat Jadeedah Pg.332)
   The issue of having a difference with regards to the sighting of the moon is not something new, so we need to observe cue) dealt with the matter. To rely on one's intellect in such matters is not a sign of intelligence. One's intellect can be used to prove or establish academic or philosophical matters but its use is not appropriate for Islamic matters that affect the general public. (Falkiyaat Jadeedah P.320)

2. It is not conditional (necessary).

3. The testimony given in conformity to the conditions outlined by Shari'ah will be accepted. Adopting the principles outlined by Rasoolullah صلى الله عليه وسلم is regarded as a religious act on our behalf and not the adoption of a Jewish system.
   And Allah Ta'aala Knows Best

   **(Mufti) Ismatullah 4 -11- 1429 AH**
   Al Jawab Saheeh by (Mufti) Muhammad 5-11-1429
   (Seal of Daarul Iftaa)

## (14) Imaarate Shar'iyyah, Phulwari Sharif, Patna, Bihar, India

The scientific new-moon theory does not have any standing in Shari'ah with regards to establishing the new moon and neither is the acceptance of a testimony, relating to the sighting of the moon, based on it.

The actual basis for establishing the new moon is to physically see it and this will be proven when testimony is given by anyone who has sighted it, in accordance to the rules of testimony outlined by Shari'ah.

This will take place in the presence of a Qaadhi (Islamic Judge) and in those places where a Qaadhi is not available then the testimony will be expressed to members of the local moon-sighting committee. If the moon-sighting committee rules that the moon has been sighted, their decision will be accepted.

If the decision of the moon being sighted is not based on a testimony in accordance to the rules outlined by Shari'ah or if

the decision is based on the new-moon theory then such a decision is not accepted in Shari'ah.

صوموا لرؤيته وأفطروا لرؤيته

Begin and end your Fasting month with the sighting of the moon. (Tirmidhi)

إنا أمة أمية لا تكتب ولا نحسب الشهر هكذا وهكذا

We are an illiterate nation who do not write or count. A month will have either twenty nine or thirty days. (Tirmidhi)

ولا عبرة بقول الموقتين ...... لأن الشهادة نزلها الشارع منزلة اليقين

The opinion of astronomers is not considered …… because a testimony has been regarded as definite in Shari'ah. (Raddul Muhataar Vol.3/Pg.354-355)
And Allah Ta'aala Knows Best

**(Mufti) Muhammad**
25-12-1429/24-12-2008
(Seal of Daarul Iftaa Imaarate Shar'iyyah )

## (15) Fatawa; Daarul Iftaa wal Irshaad Lahore Pakistan

In the name of Allah

Ramadhaan, Eid and the other months of the year will be based the sighting of the moon. A Hadith states:

لا تصوموا حتى تروا الهلال ولا تفطروا حتى تروه فإن غم عليكم فاقدروا له (الصحيح البخارى ج١ ص٢٥٦ – الصحيح لمسلم ج١ ص٣٤٧)

Do not begin or end the Fasting until you sight the moon. If the sky is not clear then complete the month. (Bukhari Vol.1/Pg.256; Muslim Vol.1/Pg.347)

الشهر تسعة وعشرون ليلة فلا تصوموا حتى تروه فإن غم عليكم فأكملوا العدة ثلاثين (الصحيح البخارى ج١ ص٢٥٦ – الصحيح لمسلم ج١ ص٣٤٧)

A month comprises of 29 nights thus do not fast until you sight the moon and if the sky is not clear then complete the month with 30 days. (Bukhari Vol.1/Pg.256; Muslim Vol.1/Pg.347)

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا وهكذا وعقد الإبهام فى الثالثة والشهر هكذا وهكذا وهكذا يعنى تمام ثلاثين (الصحيح البخارى ج١ ص٢٥٦ – الصحيح لمسلم ج١ ص٣٤٧)

We are a nation who do not write or count. A month has either 29 or 30 days. (Bukhari Vol.1/Pg.256; Muslim Vol.1/Pg.347)

قال فى البدائع:
فإن كانت السماء مصحبة يعرف برؤية الهلال , وإن كانتمتغيمة يعرف بإكمال شعبان ثلاثين يوما لقول النبى J صوموا لرؤيته وافتروا لرؤيته فإن غم عليكم فأكملوا العدة ثلاثين يوما ثم صوموا (بدائع الصنائع ج٢ ص٢٢٠)

If the sky is clear the month of Ramadhaan will be determined by sighting the moon and if it is not clear then it will be determined by completing the month of Sha'baan with 30 days. Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days and fast thereafter. (Badaai'us Sanaai' Vo.2/P.220)

قال فى الهندية:

يجب أن يلتمس الناس الهلال فى التاسع والعشرين من شعبان وقت الغروب , فأن رأوه صاموا , وإن غم اكملوا ثلاثين يوما , وهل يرجع إلى قول أهل الخبرة العدول ممن

يعرف علم النجوم , الصحيح انه لا يقبل , ولا يجوز للمنجم أن يعمل بحساب نفسه (كذا فى الهندية ج١ ص١٩٧)

It is necessary for the people to search for the moon after the 29th day of Sha'baan at sunset. If they sight the moon they should fast and if the sky is not clear then they should complete the month of Sha'baan with 30 days. The correct opinion regarding the opinion of an upright expert astronomer is that his opinion is not considered, and the astronomer cannot even adopt his own calculations. (Fatawaa Hindiyyah Vol.1/Pg.197)

ولا عبرة بقول المنجم مطلقا ولا يصوم وإن علم بالحساب أنه أهل على الأظهر إذ تحكيمه قبيح شرعا

The opinion of astronomers is not considered at all and fasting will not commence even though it is established for certain that the crescent was on the horizon because an astronomers calculations are unacceptable in Shari'ah.

(وأما عند الحنابلة) ففى الغاية وشرحها من باب صلوة الكسوف: ولا عبرة بقول المنجمين فى كسوف ولا غيره مما يخبرون به , ولا يجوز عمل به لأنه من الرجم بالغيب فلا يجوز تصديقهم (رسائل ابن عابدين ج١ ص٢٤٨)

According to the Hambali Math-hab the opinion of astronomers will not be accepted with regards to an eclipse as well as other matters regarding which they issue forecasts because their opinions are assumptions thus they cannot be attested to. (Rasaail Ibn Aabideen Vol.1/Pg.248)

وقد تلخص مما حررناه وتحصل مما قررناه من المسائل المتفرقة والمجتمعة فى هذه الفصول الأربعة أن المعمول عليه والواجب الرجوع إليه فى مذاهب الأئمة الأربعة المجتهدين أن إثبات هلال رمضان لا يكون إلا بالرؤية ليلا أو بإكمال عدة شعبان وأنه

لا يعتمد على ما يخبر به أهل الميقات والحساب والتنجيم لمخالفة شريعة نبينا عليه أفضل الصلاة والتسليم (رسائل ابن عابدين ج١ ص٢٥٣)

The gist of what has been discussed is that the determining factor according to the Mathhahib of all four of the Imaams of Jurisprudence is that the moon will only be established by physically seeing it by night or by completing the month of Sha'baan with 30 days and that the opinions of astronomers will not be considered due to them being in conflict with the Sunnah method of sighting the moon taught by our Nabi J. (Rasaail Ibn Aabideen Vol.1/Pg.253)

وفى المرقاة:

وهو مردود لحديث " إنا أمة أمية لا نكتب ولا نحسب " فإنه يدل على أن معرفة الشهر ليست إلى الكتاب والحساب كما يزعمه أهل النجوم , والإجماع على عدم الإعتماد بقول المنجمين (مرقاة المفاتيح ج٤ ص٤٠٣)

The opinion of astronomers is refuted by the Hadith that states that we are an illiterate nation who do not write or count because this Hadith indicates that the determination of the start of a month is not based on calculations as the astronomers insist and there is consensus on the fact that the opinion of astronomers is not reliable. (Mirqaatul Mafaateeh Vol.4/Pg.403)

From the above-mentioned texts of Hadith and Jurisprudence we establish that Rasoolullah صلى الله عليه وسلم based the start of a month on the sighting of the moon and not on the new moon being present on the horizon or on the possibility of it being sighted or any other theory. Rasoolullah صلى الله عليه وسلم states further that in the event that the sky is not clear (for whatever reason) due to which the moon was not sighted after 29 days then the current

month should be completed with 30 days and the new month should commence thereafter.

The above-mentioned Ahaadith are recorded in all the other authentic Books on Hadith. In these narrations Fasting and Eid have been based on the sighting of the moon. The word 'Ru'yah' is a well-known word of the Arabic language which gives the meaning of seeing something with the naked eye. If this word is taken in any other context then that is not the literal meaning but rather the figurative meaning. Thus the overall meaning of the Hadith of Rasoolullah صلى الله عليه وسلم is that all those laws of Islam that are based on the sighting of the moon demand that the moon be physically sighted with the eye. Thus it is established that the basis is not on the moon being present on the horizon but rather on the physical sighting of the moon. If the moon is on the horizon but for some reason it is not visible then such presence of the moon on the horizon holds no bearing with regards to the laws of Shari'ah.

The last sentence of this Hadith has explained this meaning to a further extent whereby it is mentioned that if the sky is not clear due to which you cannot see the moon with your eyes then you are not bound to establish the presence of the moon on the horizon or its birth by the use of mathematical or theoretical calculations or to try and observe it using observatory instruments and telescopes. Rather the Hadith simply states:

فإن غم عليكم فأكملوا العدة ثلاثين

If the moon is not visible then complete the month with 30 days.

There is no other meaning to these words of the Hadith other than what has just been mentioned. If the moon is on the horizon but it cannot be seen due to haze or clouds then Shari'ah simply instructs that the month should be terminated with 30 days. By this instruction it becomes absolutely clear that the start and end of a month is based on the sighting of the moon according to Shari'ah and not on the presence of the moon on the horizon or on the possibility of sighting it. It is also established that the use of observatory instruments such a telescope is not a basis for the sighting of the moon in Shari'ah because the most that can be proven by the use of such instruments is the possibility of the moon being present and in the Books of Jurisprudence the term commonly used for this is the birth of the moon or the new moon whereas Shari'ah considers only the physical sighting of the moon. For this Shari'ah has stipulated the following principles:

If the horizon is overcast (cloudy) then for the moon of Ramadhaan it will be sufficient for one religiously upright Muslim man or woman to testify. However for the moon if Eid it will be necessary for two men or one man and two women who are all religious upright Muslims to formally testify to the Qaadhi (Islamic Judge) or Mufti that they had sighted the moon. If the Qaadhi or Mufti accepts their testimony then the sighting will be established even though, according to the theoretical calculations of astronomy, the birth or sighting of the moon was impossible on that day. This is mentioned in the following text of Fatawaa Hindiyyah:

إن كان بالسماء علة فشهادة الواحد على هلال رمضان مقبولة إذا كان عدلا مسلما عاقلا بالغا حرا كان أو عبدا ذكرا كان أو أنثى ولا يشترط فى هذه الشهادة لفظ الشهادة ولا الدعوى ولا حكم الحاكم ... وإن كان بالسماء علة لا تقبل (فى الفطر) إلا شهادة رجلين أو رجل وامرأتين ويشترط فيه الحرية ولفظ الشهادة , ةالأضحى كالفطر فى ظاهر الرواية (الهندية ج١ ص١٩٨)

If the sky is clear then it will be necessary that the general masses sight the moon or at least a large group of people regardless of whether it is the Ramadhaan moon or the Eid moon.

وإن لم يكن فى السماء علة لم تقبل إلا شهادة جمع كثير يقع العلم بخبرهم (الهندية ج١ ص١٩٨)

The practice of Rasoolullah صلى الله عليه وسلم was on this principle and the Sahaabah and their Successors (Taabi'een) also meticulously abided by this principle and the Muslim nation has been repeatedly urged to abide by this principle. Despite this we do not find any Hadith indicate in the lightest of manners that Rasoolullah صلى الله عليه وسلم permitted his followers to abandon this principle and seek assistance from some other means such as theoretical calculations or forecasts. If it was permissible for us to achieve the objective of the Prophetic method by any other means then we would have definitely found some indication to that in the Ahaadith or there would have, at least, been some scope or leeway mentioned by the Sahaabah or the Imaams of Jurisprudence.

On the contrary we find that Rasoolullah صلى الله عليه وسلم refuted the calculations of astronomy with regards to determining the start and end of months by stating that we do not write or count. On another occasion Rasoolullah صلى الله عليه وسلم indicated that astronomy-based calculations cannot be relied upon at all when

he raised his hands to point out that a month will have either 29 or 30 days.

Rasoolullah صلى الله عليه وسلم on another occasion clearly prohibited his followers from adopting the hypothetical calculations of astronomers and instructed that they should not start or end their fasting until they sight the moon and at another time he regarded, as a sign of Qiyaamah (the last day), the habit of some who look at the moon and proclaim that the moon is not as old as it is being portrayed to be.

At another time he expressed, without exception that attesting to the practice and prophecies of an astronomer is tantamount to disbelief. There is no mention in any Hadith of the permissibility for passing a ruling on the sighting of the moon based on the calculations of astronomy.

It is for this reason that there is consensus of the Muslims on the fact that the opinions of astronomers will not be considered with regards to establishing the sighting of the moon and in this regard their research has been regarded as futile. It is appropriate to mention that although we are not duty bound to search for the moon using instruments of the observatory such as telescopes etc, if the moon is sighted with the use of such an instrument the sighting will be recognised as established.

There could be many reasons why Shari'ah has based the laws of the moon on physical sighting and not on theoretical calculations and these are probably based on the benefits that can only be achieved by physically sighting the moon and not by any other method.

For example; the calendar of other nations is based on theoretical calculations and in order to save the Muslims from emulating them as well as to preserve the unique identity of the Muslims Shari'ah gave the Muslims their own formula.

It is also possible that due to the other theoretical methods not being natural and definite whereas Islam being a natural religion would require the natural method of physical sighting to blend with it.

It is also possible that because the entire system of Islam is not based on intricacies and rigid formalities but rather on simplicity and ease thus the time and date system of Islam is based on plain and simple principles in order to maintain balanced approach in all matters as well as save the Muslims from any form of rigid formality and difficulty.

It could also be that the time and date system is only a means for determining the different times and dates and any nation that engrosses themselves too deeply with the means often forgets their objectives and their efforts and capabilities are then wasted in pursuing the means, thus the Muslims were given such a system which would save them from becoming too engrossed in the means used and thereby protect them from wasting their efforts and paying less attention to their objectives. Thus by simply looking up at the sky, if the moon is sighted the system is in place and you can continue with your normal routine work without having to compute and calculate or establish a weather bureau.

It is also possible that consideration was given to the fact that the Muslims comprise of the rich, poor, learned, illiterate, men and women and the majority of the acts of worship are based on the time and date system which applies equally to all the categories of Muslims thus such a system was formulated that would allow every individual to be at ease by physically observing the approach and change of any time or date.

It is possible that the certainty that Shari'ah demands with regards to the sighting of the moon can only be achieved by physically sighting the moon and a computed calendar is insufficient in providing such certainty.

Or it is possible that Shari'ah did not approve of the idea that fasting must be fulfilled by everyone but they should all be at the mercy of a certain group regarding the determining the times and duration of fasting. Thus such a system was formulated whereby a layman can determine the time of fasting just as an expert astronomer would and likewise a villager and city-dweller would also adopt the same means for determining their times.

There are many other possible reasons for Shari'ah having selected the system of physically sighting the moon thus adopting it will entail great ease, goodness and blessings.

The reports regarding Saudi Arabia not paying attention to the Shari'ah system of establishing the moon but rather determining the dates of Ramadhaan and Eid on the basis of observatory-generated calculations is all propaganda and our Mufti Saahib has established such facts to be untrue and that the Saudi officials are indeed very particular with regards to the Shari'ah

system of sighting the moon thus it is necessary to conform to their dates of Ramadhaan, Eid and Wuqoof at Arafah. And Allah Ta'aala Knows Best.

**(Mufti) Faseehud Deen Waziristaani**
Daarul Iftaa wal Irshaad Lahore, Pakistan
Answer confirmed as Correct by: (Mufti) Hameedullah
28 Zul Qa'dah 1428 AH (Seal of Darul Ifta)

**NB; Readers! There is importont Topic and Fatwaa by the Deobandi Schollers at the end of the Book translated by Mufti Muhammed Aslam Patel**

بسم الله الرحمن الرحيم

# Chapter – 2 of 3

## Thuboote Hilal and Astronomical Calculation - The Fatawaa by Barelvi Scholars

### Foreword:

**الحمد لله رب العلمين وبه نستعين ونصلى ونسلم على سيدنا محمد بن عبد الله خاتم النبيين**

**All praise is due to Allah, the *Rabb* (Creator and Sustainer) of the universe and it is from Him alone that we seek assistance. We convey Benedictions and Greetings of Peace (*Salaat and Salaam*) to our Guide and Master, Muhammad ibn Abdillah, the last and final of all Prophets and Messengers.**

Dear Respected Reader,

Assalaamu Alaikum Warahmatullahi Wabarakatuh

We have read in Chapter 1 about moon sighting to begin Islamic months, the history of astronomical Lunar calculations, the new moon theory, it`s calculated visibility, and principles of Islam the Prophet`s way and the different Fatawaa.

Our main task by this book is to remind the all Ahlus Sunnah Wal Jamaah about the Islamic principles for establishing the Islamic Months, and Salat Times to pray on time, this is the Prophet`s

method, and with it educating entire Muslims and bringing them together on the path of Rasoolullah صلى الله عليه وسلم.

My most sincere thanks and appreciation to the efforts made by Moulana Abdul Basit of London who translated my Urdu Zamimah `*Sharea Thuboote Hilal aur Namazon ke awquat (Urdu-fatawa of Barelvi Muftiyane Kiram)* which is the one you are reading now as Chapter 2&3. May Allaah accept his most sincere intentions. We pray to Allah Subhanahu Wata'aala to except our effort and give all of us hidaayah. **Aameen**

**Maulvi Ya'qub Ahmad Miftahi**

**G. Secretary Date 10 Rajab 1430/3July 2009 Juma`ah**

## D-Fatawaa: By Fazil Bareli Moulana Ahmad Raza Khan

**Factors not considered when establishing the sighting of the moon; Fatawaa Razwiyyah V18-Pg.from page 469-479**

### (1) Fatwaa: The opinions of astronomers are not considered at all even though they are religiously upright and in great number. They also cannot practice on their own opinion.

Allah says:

وَجَعَلْنَا الَّيْلَ وَالنَّهَارَ آيَتَيْنِ فَمَحَوْنَا آيَةَ الَّيْلِ وَجَعَلْنَا آيَةَ النَّهَارِ مُبْصِرَةً لِتَبْتَغُوْا فَضْلاً مِنْ رَّبِّكُمْ وَلِتَعْلَمُوْا عَدَدَ السِّنِيْنَ وَالْحِسَابِ وَكُلَّ شَيْئٍ فَصَّلْنَاهُ تَفْصِيْلاً (سورة الإسراء - )

"We have made the night and the day as two (of our) signs: the sign of the night have we made dark while the sign of the day we have made bright that you may seek bounty from your lord and that you may know the number and count of the years: all things have we explained in detail." (Quran 17:12).

In another place Allah says;

يَسْئَلُوْنَكَ عَنِ الْأَهِلَّةِ قُلْ هِىَ مَوَاقِيْتُ لِلنَّاسِ وَالْحَجِّ ( (سورة البقرة - )

"They ask you about the moon. Say, it is the sign for people's time and Hajj)" (2:90).

Allah says; كلوا واشربوا حتى يتبين لكم الخيط الأبيض من الخيط الأسود من الفجر ثم اتم الصيام إلى اليل (سورة البقرة)

"And eat and drink, until the white tread of dawn appear to you distinct from its black tread; then complete your fast till the night appears." (2:187).

Rasoolullah صلى الله عليه وسلم stated: صوموا لرؤية وافطروا لرؤية فإن اغمى عليكم فأكملوا عدة شعبان ثلاثين "keep your fast by sighting the moon and break it by sighting too". (Bukhari v. 1 p. 256)

From these times some are based on the sighting of the moon.

Rasoolullah صلى الله عليه وسلم says:

إن الله امده للرؤية (دار قطنى – كتاب الصوم)

Allah has based the issue of the moon on physically sighting it. (Daaru Qutni Pg. 26)

The astronomers are those who say base their discussion on the condition of the sky and movement of the stars and thereby forecast that a certain month will have 29 days whilst the other will have 30 days. Even though they may be correct and even religiously upright their opinion will not be reliable despite a large group among them unanimously declaring such a forecast in one voice. For example, on the 29th of Sha'baan they say that the moon will definitely be sighted today. However in the evening the sky is overcast due to which no reliable news of any sighting was received then we will definitely not announce the start of Ramadhaan but will regard the next day as a doubtful day. Or if they say that the moon cannot be sighted today and tomorrow will definitely be the 30th of Sha'baan. However a testimony was taken by one who sighted the moon then we will immediately accept the news and will not even consider the fact that according to astronomy it was not possible to sight the moon today so the witness made an error or spoke a lie.

Rasoolullah صلى الله عليه وسلم instructed that the beginning and end of fasting should be based on the sighting of the moon. In the

Hadith books of Bukhari, Muslim and others many Sahaabah رضى الله عنهم relate that Rasoolullah J stated:

صوموا لرؤيته وافتروا لرؤيته فإن اغمى عليكم فأكملوا عدة شعبان ثلاثين

Begin and end your fasting with the sighting of the moon. If the sky is not clear then complete the month with 30 days. (Bukhari Vol.1/Pg.256)

Thus it is compulsory for us to practice on this instruction. As for the calculations of astronomy, Rasoolullah صلى الله عليه وسلم has denounced it by stating that we the following:

**إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا والشهر هكذا وهكذا**

We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days.(Bukhari, Muslim Abu Dawood and Nasaai from Ibn Umar رضى الله عنهما

We are the illiterate followers of our Prophet صلى الله عليه وسلم who also did not receive formal secular education so how does writing and counting concern us. As long as the sighting of the moon is not established we will not abide by the calculations of anyone or the writings of anyone or any indications or estimations.

**He then goes on to quote the opinions of the Jurists:**

لاعبرة بقول الموقتين ولو عدو لا

The opinion of astronomers will not be considered even if they are regarded as upright.

In Raddul Muhtaar the following is mentioned:

لا يجوز للمنجم أن يعمل بحساب نفسه

It is not permissible for an astronomer to adopt his own calculations.

**Thereafter he discusses the calculations of astronomers regarding the possibility of sighting the moon and says;**

‘The calculations of the Astronomers is somewhat strange because this humble servant has repeatedly observed the moon on the 29th of the month to be very far from the point yet they stipulated that the moon would be sighted only the next day.’

At this point what needs to be discussed is that the `Greek philosophers `had prepared these laws but were personally not satisfied with them. They acknowledge that the matters relating to the moon have not been encompassed totally to date so how can we rely on such details that are doubtful to those who prepared them.

سُبْحنَكَ لاَ عِلْمَ لَنَا إلاَّ مَا عَلَّمْتَنَا إنَّكَ أنْتَ الْعَلِيْمُ الْحَكِيْمُ

Glory be to you! We do not have knowledge except that which you teach us. Indeed you are the most learned, most wise.

In the light of the above-mentioned discussion he makes a rebuttal of the opinion that calculations are definite and testimony is a presumption.

**He writes**: ‘ We say that calculations are not categorical in any dealings as you have learnt earlier and the possibility of an error is not any less than in the news of sighting relayed by an upright person.

**Rasoolullah صلى الله عليه وسلم had declared calculations as null and void and termed testimony as having the status of certainty. Thus the correct opinion is that it is not permissible to depend and rely on astronomers.’**

## (2) Fatawaa : The Ruling Regarding Sighting of the Moon in the Morning and then Seeing it Again that Evening, as well as The Status of A Testimony in this Regard.

**At the end of a month the moon certainly sets for a day or two but the ruling regarding moon sighting is not based on this.**

**The Fatwaa is issued by Fazil Bareli explaining that:** 'If the month has 29 days then the moon sets for one night and if the month had 30 days then the moon sets for two nights.

**It so happened that this morning before sunrise the moon was sighted in the east and in the evening testimony was given for having sighted the moon that evening, this will definitely be accepted and there will be no objection that the moon was present on the eastern horizon in the morning so how did it become a crescent without setting first.**

(This means that if the moon was sighted on the morning of the $29^{th}$ day in the east then it was sighted that very evening in the west and if a testimony was given it will not be rejected by saying that this moon was present in the morning so how has it become a crescent now. Rather such a testimony will be accepted)

**He then quotes a Fatwaa from Raddul Muhtaar in support of his own Fatwaa;**

رئى يوم التاسع والعشرين قبل طلوع الشمس ثم رئى ليلة الثلاثين بعد الغروب وشهدت بينة شرعية بذلك فإن الحاكم يحكم برؤيته ليلا كما هو نص الحديث ولا يلتفت إلى قول المنجمين أنه لا يمكن رؤيته صباحا ثم مساء فى يوم واحد , كيف وقد صرحت ائمة

المذاهب الأربعة بأن الصحيح أنه لا عبرة بقول المنجمين (رد المحتار – كتاب الصوم ج٢ ص)

After that he mentions the reasons cited by astronomy as to why the moon cannot be seen in the evening if it is seen in the morning and then states his conclusion, 'It is for this reason that astronomers say it is not possible for the moon to be sighted in the morning and evening of the same day, however if it is sighted then on what basis will it be denied because:

Indeed Allah has power over everything. إِنَّ اللهَ عَلٰى كُلِّ شَىۡءٍ قَدِيْرٌ

**He then emphasises his Fatwaa with another subheading**;

## (3) Fatawaa: 'Shari'ah does not accept that the moon cannot be sighted on the morning of 29th lunar night.' He then states his Fatwaa that, 'Shari'ah does not accept that the moon definitely sets on the morning after the 29th lunar night.'

He then explains this by way of an example and rejects the opinion of the astronomers in the light of Shari'ah. (Fatawaa Razwiyyah Vol.18 Pg.461-465)

**On page 469 he has a subheading that reads**:

## (4) Fatawaa: 'Shari'ah does not accept that the moon does not set before Esha.'

He then mentions that Rasoolullah صلى الله عليه وسلم used to perform his Esha Salaah at the time when the moon sets on the third night. On the basis of this he issues a Fatwaa that by the moon setting before Esha on the 3rd night of a lunar month whereby the month was commenced by testimony on the sighting of the moon it cannot be denied that this is not the moon of the third night simply because it set before Esha.

He then explains further that by adopting this testimony there is definitely no conflict with the Hadith. Rather it is in absolute conformance of the teachings of the Hadith. Rasoolullah صلى الله عليه وسلم would perform his Esha Salaah after observing that the time has set in. Due to his common practice the Esha time was mainly in conformance to this instruction. Even if we consider that his time was always in conformance to the setting of the moon on the 3rd night it will not imply that Rasoolullah صلى الله عليه وسلم had, even on one occasion, based the Esha time strictly on the setting of the moon and neither did he regard it as impossible for the moon to set later.

This does not imply that the testimony of a physical sighting of the moon in relation to fasting can be overlooked. Fazil Bareli then adds weight to his proof by quoting a reference from Raddul Muhtaar, Chapter on Fasting Vol.2/Pg.100 and together with this he also quoted the Fatwa by **Moulana Abdul Hay Lucknowi (Deobandi) in support of his opinion** that the testimony will not be rejected and that such an action will not be in conflict with the Hadith mentioned.

## (5) Fatawaa: Is it Necessary for the Full Moon to Appear before Sunset on the Fourteenth Day?

**Fazil Bareli then sets up two subheadings entitled;**

**'The full moon appears before the sunset on the 14th day' and 'Appears after sunset on the 15th day.' He then goes on to reject these two ideologies by issuing a Fatwaa stating, 'Both these facts are unacceptable.'**

**He then gives examples of the moon having appeared before sunset on the 15th based on testimony of witnesses (for its first date) and expresses that such a testimony will not be rejected on the basis of calculations by astronomers. This will rather be the 15th day and the calculations of astronomers will be rejected.**

He then writes that the ignorant will exclaim that based on the occurrence of the 1st of the month this is supposed to be the full moon of the 14th.

**In response he indicates that**: **`this is all hypothetical ambiguous and vain talk and the ruling in Shari'ah is not based on such facts ,because the Islamic Ruler, Judge or Aalim are not bound to become aware of the actual reality as is known to Allah since that would result in making them bound to discover something that is beyond their ability.**

Rather than that Shari'ah makes it obligatory on them to adopt that which is proven by a proof acceptable in Shari'ah even though the reality according to Allah may be different.

Rasoolullah صلى الله عليه وسلم himself had expressed that:

**إنكم تختصمون إلىّ ولعل بعضكم أن يكون الحن بحجة من بعض فأقضى بنحو مما اسمع فمن قضيت له من حق اخيه شيئا فلا يتخذه فإنما اقطع له قطعة من نار (رواه احمد والستة عن أم المؤمنين أم سلمة رضى الله تعالى عنها)**

You people bring your disputes to me and it is possible that some of you are more eloquent in presenting their case than the others and I then pass judgement according to what I have heard. If I pass a judgement in favour of any person against the right of the other then he should not take it because that would be a piece of the fire that I have granted him. (Ahmad)

## (6) Fatawaa: Fazil Bareli then goes on to refute the common belief that the day on which the 4th of Rajab will appear will always be the same day on which Ramadhaan will commence;

` It is apparent that this is not a fact of Shari'ah. Likewise it is not necessary that the day on which the 1st of Ramadhaan will commence will be the same day on which the 10th of Thul Hijjah will appear. He then also mentions that at some point Ali رضى الله عنه had mentioned that the day on which we had commenced Ramadhaan is the same as the day of Qurbaani (Ritual Sacrificial Slaughter).

**This was the coincidence of that particular year and not a general law of Shari'ah as has been witnessed countless times that the 1st of Ramadhaan and the 10th of Thul Hijjah were on different days.**

**(7) Fatawaa: He then also refutes the claim that not more than four months of the year will have 29 days saying that;**

**'This is also from those experiences of people or calculations which Shari'ah does not rely upon.** (Fatawaa Razwiyyah Pg.469-474)

**(8) Fatawaa: Under the subheading, 'Certainty of a fact due to common practice of the masses is not beneficial.'**

Fazil Bareli goes on to explain that certainty is of two types:

**1) That which is achieved through a method taught by Shari'ah.**

**2) That which is achieved through common prevailing practices.**

Despite this method not being that of Shari'ah it gives one the benefit of comfort and contentment based on it being acceptable due to its prominence or through experience or certain external indications.

**Those who are not aware of the reality cannot differentiate between these two and regard the second one as sufficient and acceptable proof in Shari'ah whereas this is clear misconception**. An example of this is where Shari'ah has stipulated a number with regards to testimony whereby it is

necessary to have two men or one man and two women. Now if a certain highly renowned pious saint of academic and spiritual excellence has to give a testimony that a certain event took place in front of him and he had physically observed it with his own eyes then according to our common practice we would have more regard, respect and confidence in his testimony than we would in the testimony of possible 20 or 40 common people, however we cannot accept his lone testimony because Shari'ah demands that there must be two men to testify.

**He then comments in conclusion of this point that: `Ulamaa very often feel confident of the moon being sighted due to apparent signs but due to the sighting not being proven according to the demands of Shari'ah they do not pass the ruling of it being sighted.**

**In a similar manner when the sighting of the moon is reliably established in accordance to the principles of Shari'ah then they will be compelled to rule that the sighting has been established ``even though certain apparent factors make one feel doubtful about it``.**

**It is at this point that the difference between an Aalim-ud-Deen and ignorant person becomes apparent. When the factors are against the ruling of the Aalim-ud-Deen, the ignorant raise objection against the Aalim-ud-Deen, however he is fully aware that the decision of the Aalim-ud-Deen is correct and it is necessary for him to abide by such a ruling.**

**(9) Fatawaa: Fazil Bareli then goes on to discuss the Hadith that states that the two months of Eid do not fall short whereby he comments saying that in one year the months of Eid will not have 29 days each.**

Imaam Ahmad Ibn Hambal رحمه الله mentions that if Ramadhaan has 29 days then Thul Hijjah will have 30 days and if Ramadhaan has 30 days Thul Hijjah will have 29 days and he then quotes the Hadith from Bukhari (Vol.4/Pg.107) which states that the two months of Eid will not have a total 58 days. Moulana comments saying that the meaning of this according to researchers is that this will be the result in the majority of cases, it is not a definite rule forever. Imaam Tahaawi رحمه الله mentions that we have experienced for many years that both months of Eid had 29 days.

Despite these facts the Ulamaa have offered a better explanation stating that this Hadith is in relation to the reward of the two months. They will both have an equal reward regardless of either having 29 days. The authenticity of the second Hadith is not known and it is possible that the narrators related it in the metaphoric sense. And Allah Ta'aala Knows Best.

**Overall the notion is that it is not necessary for such facts to be experienced at all times and even if they always occur the laws of Shari'ah are not based on them.**

And Allah Ta'aala Knows Best. He is the guide to the straight path. May Allah Shower his Blessings and Mercy upon Muhammad, The Leader of all Messengers and upon his Family and Companions! (Fatawaa Razwiyyah V18-Pg.469-479-

## The approval of renowned Barelwi and Deobandi Scholars regarding the adoption of the Moon sighted in Saudi Arabia

***The approval of renowned Barelwi Graduate Aala Hazrat: Moulana Ahmad Raza Khan rules regarding the adoption of the moon sighted in Al-Haram Al-Sharif Makkah Saudi Arabia as compulsory.***

### (10) Fatawaa for Question from Behraich, in Fatawaa Razwiyyah V18-Masala 230;

If the Ramadhaan moon is sighted on the evening after the 29th day of Sha'baan in Makkah Mukarramah or some other place far from India and for example the moon is not sighted that evening in Behraich but is rather sighted after completion of 30 days of Sha'baan then will the residents of Behraich have to keep one compensatory fast after receiving reliable news of its sighting? Zaid says that it is not necessary to keep a compensatory fast because the sighting of a far off place is not considered when the moon is sighted in a nearby place. Amr holds the opinion that it is necessary to keep one compensatory fast.

**Ruling:** The opinion of Amr is correct (that if the moon is sighted at a place far from India like Makkah Mukarramah on the 29th of Sha'baan then it will be necessary upon the residents of Behraich to keep one compensatory fast). The correct and reliable opinion of our Imaams is that the difference in horizon between places is not considered in relation to the sighting of the moon for Ramadhaan and Eid.

**If the people in the East sight the moon then their sighting will be binding on the people in the West and vice versa** on condition they receive the news of such a sighting through reliable means. The following is a quotation from Durrul Mukhtaar expressing what has just been mentioned with regards to the difference in horizon between places:

اختلاف المطالع غير معتبر على المذهب وعليه اكثر المشائخ وعليه الفتوى الخ

## **Deobandi Graduate Aala Hazrat Moulana Rashid Ahmad Gangohi to follow Makkah** (this is same ruling);

## <u>Rules in his Fatwa;</u>

If the people of Calcutta sight the moon on Friday night whereas it was sighted in Makkah Mukarramah on Thursday night but the people of Calcutta were not aware of the sighting in Makkah. **Whenever they do find out about the sighting in Makkah being a day before theirs they should have Eid on the same date as Makkah and keep one compensatory fast for the first that they missed.** (Kawkabud Durriy Commentary on Tirmidhi Pg.336)

# E-Fatawaa:
# The Questions sent by Hizbul Ulama UK to Barelvi Muftiyan-e-Kiram

**Respected Mufti ..................................................Esq,**

Assalaamu Alaikum wa Rahmatullah wa Barakaatuh

Please answer the following questions. It will be a great pleasure for us. Hope you keeping well. Remember us in your virtuous Duas.

1. **Question:**

   A. Can we start the fasting and stopping it on the observatory's prediction? Is it correct to celebrate the Eid basis of the observatory's calculation?

   B. Will it be correct to link the witnesses to the observatory? I.e. when the observatory predicts, then the witnesses will be considered, otherwise not.

   C. Is it acceptable that if 29th day the moon is not visible, then the 30th day should be completed for the fasting as well as for the Eid, irrespective of observatory's prediction?

2. **Question:**

   A. For timing of Salaah, which one will be more reliable between the observatory's calculation and the sings?

B. In case of dissimilarities between the observatory and the sings which one should be followed?
Signature: Ya'qub Ahmad Miftahi
Secretary: Hizbul Ulama UK

- Note: In Britain nights are very short in some months. In those months redness in the horizon disappears within 2 hours time. The sun rises very quickly. Workers get very little time for sleeping. It is hard to get up for Fajr. In this instance, considering Isha time as non existence, is it correct to read Isha one hour immediately after the sunset? A scholar (an Aalim) gave a fatawa that in these circumstances within a short period of time to read Isha is acceptable, especially nights of April, May, June, July and August. Following proofs he provided:
  Some verses quoted from Quran and Ahaadith which indicate the ease in religion is preferable than the hardship.

  NB: Readers must note that the answers regarding Salat Times can be read in Salat Chapter- 3

## Following answers were received from Barelvi Muftiyane Kirams

## (11) Mufti Shahaadat Hussain Razwi Darul Ifta Mahalla Saudagaran, Bareli India

1. **Answer :**

A. Starting and ending the Ramadan is not acceptable by relying on prediction. Prophet صلی اللہ علیہ وسلم said “keep the fast on sighting the moon and stop it by sighting it too. If do not see on 29th day then complete the 30th day”. On this Hadith Prophet صلی اللہ علیہ وسلم rejected the prediction and made condition to see the moon.

B. If witnessing is according to Islamic law, then sighting will be acceptable, otherwise not. News or any other Medias prediction will not be considered.

C. Yes, it is according to Hadith. Count the month whether it is 29 or 30 days”. We are the illiterate nation of illiterate Prophet. Why do we have to count? Until the moon is sighted we will not listen to anybody’s counting, writing or instrumental analogies.

## (12) Mufti Zainul Aabideen Sahib Jameaah Ashrafia, Faizabad, India

1. **Answer:**

A. Those people who research about the sky and the stars they with their own calculation say, so and so

day the moon will be sighted, so and so date will be 29th and the other one will be 30th. Sometime their calculations happen to be correct. According to them the moon cannot be sighted until it is reaches to the distance of 8 degrees from the sun and when it goes to 12 degrees then the moon definitely become visible. On 29th of Maghrib they will look in to the horizon, if it is below than 8 degrees then they will say the moon will not be visible. If it is 12 degrees or above then they will say definitely the moon will be sighted. Between 8 and 12 degrees it is the doubtful time. That is why Shari'ah does not take it to under consideration. So acting upon this prediction is unacceptable.

B. Cannot depend on. For instance, they say on 29th Sha'baan the moon will be sighted, so tomorrow is the first Ramadan; but in the evening sky became cloudy, no news received for sighting the moon. So it is not the first day of Ramadan, it is called doubtful day. Or if they say, it is not possible to see the moon today, tomorrow definitely is the 30th Sha'baan; but witnesses came across with reliability that the moon had been sighted, then immediately it will be acted upon. No attention would be paid towards them that it was impossible to see the moon.

C. Prophet صلى الله عليه وسلم linked the fasting and breaking on sighting of the moon. Bukhari and Muslim etc reported by numerous Sahaabah that "keep your fast

by seeing the moon and break by seeing it too". If the sky is cloudy then fill up 30th days. We are obliged to act upon it. Regarding calculation, Prophet صلى الله عليه وسلم rejected it by saying: "We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days.(Bukhari, Muslim)

## (13) Mufti Muhammad Shareeful Haque Darul Uloom Ashrafia, MubarakPur, India

A. **Answer**: Keeping the fast and breaking it or celebrate the Eid on prediction of the observatory is unacceptable. In Durre Mukhtar it is stated that "cannot rely on the observatory". Allah knows best.

B. It is not correct to link Shar'i witnesses to the observatory's prediction. Because it is like non existence thing and witnessing itself is an Islamic legal status.

C. If with certainty on the 29th day of Ramadan the moon was sighted, then the next day Eid should be celebrated. If the moon is not sighted according to Shari'ah on 29th of Ramadan then the 30th fast must be completed. In this case the observatory will not be considered. Allah knows best.

## (14) Darul Ifta Darul Uloom Thaam, Dist. Bharuch, Gujarat, India

**1. Answer:**

A. No, it is not acceptable to act on the observatory's prediction. Allah knows best

B. Baseless thing, it is to override on Shari'ah. Allah knows best.

C. Yes, it is on Islamic principle.

Astronomers are those people who deal with the sky and stars. With their own calculation they say, so and so day the moon will be sighted, and this month will be 29 and that one will be 30th day. Sometimes it becomes correct, but in the authentic school it does not have any significance; despite they may have numerous people to proclaim that prediction.

## (15) Mufti Muhammad Shabbir Ahmad Darul Uloom, Shah Alam, Ahmadabad, Gujarat.

A. **Answer;** Sighting of the moon or witnessing it is the precondition for beginning the fast or ending it. Instrumental forecast or observatory's prediction cannot be relied upon. Hadith says "keep the fast by seeing and break it by seeing too". Allah knows best.

B. Never, their prediction has any value. Allah knows best.

C. If on 29th the moon is not sighted or no witnesses came across then 30th day has to be completed according to Hadith books.

## (16) Mufti Muhammad Ya'qub, Jaami'ah Gulzare Habeeb, Soldier Bazaar, Karachi 3, Pakistan

### 1. Answer (the moon sighting)

A. Calculation and prediction for the observatory is not acceptable in Shari'ah. Because Islam gave precedence on sighting than any other means. The observatory is a scientific experimental charisma. The scientists themselves say "it is not the last thing". Every experiment brings further changes or a new idea, and the new ideas delete the previous ones. That is why Shari'ah does not consider it. In the other side the Shari'ah rules, they are permanent, they do not change the form by any circumstances of environment. Prophet صلی الله علیه وسلم laid down some rules regarding it. In this connection he said, "Keep your fast by sighting the moon and break it by sighting too", this is clearly denying all kinds of predictions.

## (17) Mufti Waqar Uddin
## Darul Ifta, Darul Uloom Amjadia

**1. Answer;**

A. Nabi Kareem صلى الله عليه وسلم put the ruling on sighting of the moon. He said “keep your fast by sighting the moon and break it by sighting too, if it is cloudy then complete the 30th day”. It is indicating that the desire of Allah and Prophet صلى الله عليه وسلم is to encourage common people for sighting the moon, so they can perform Ibadah with ease. People must not rely on some experts that if they commit any mistake, therefore everybody’s Ibadah become worthless. As the Shari’ah set condition for sighting of the moon, hence it is obligatory to starts the fasting by seeing the moon as well as celebrating the Eid too. Although it goes against the observatory people.

# F-Other Fatawaa

## (18) Moulana Muhammad Amajad Ali Razwi Monthly Tayyibah, 1994, Ahmadabad, India

He says regarding **(1) "the astronomical calculation**" that, if the observatory announces positive or negative about moon sighting, it does not carry any weight in Shari'ah, no matter how many people they are, and how pious they may be. The Shari'ah emphasises on sighting the moon with naked eyes, or on its witnesses.

## (19) Moulana Mufti Muhammad Shaafie Al- Hashimi Ittihadul Ulama, Britain

No one is more loving than Prophet Muhammad صلى الله عليه وسلم. If he wanted he could have given the calendar for entire life. He did not do that because of Ummah's blessing are hidden in the moon sighting.

The perpetual calendars made out for Arabian countries like Egypt, Jordan and Arabian Peninsula, are not based on Shari'ah. They are based on calculation. These calendars are official use only. Unfortunately, celebrating the Eid separately is a new corruption among Britain's Muslims. (Jang, London, 16 February, 1995)

## (20) Moulana Mufti Muhammad Saeed
## Markazi Sunni Jama'at, Britain

Allamah Saeed Muhammad Saeed proved the fact that the observatory's counting on sighting the moon is wrong. He compared the statement of Pakistan **SPARCO** director Ishaq Mirza, who claimed that 8 January Monday evening the moon should be sighted. In the contrary a famous astronomer Samad Razwi said, it is impossible to see the moon on that day. The individuals who emphasis on the observatory, they are deceiving the Islamic nation. Islam believes on confirmation and it is achieve by sighting the moon itself or other person's sightings who witnessed it. (The nation January 1995)

He said, Hadhrat Moulana Ahmad Reza Barelvi stated the rules of observatory for sighting the moon is imaginary. **Ptolemy**, who is the founder of astronomy, spoke about the entire space but did not mention the moon. It was out of his capacity. Succeeding people made some rules; sometime it gives positive result and sometime negative. Our Prophet صلی اللہ علیہ وسلم taught us easy way, which will never be wrong. E.g. "we are an illiterate nation. Do not know writing and counting. If you do not know whether the month is 29 or 30, then fill up the 30 days".
Literal meaning of Hadith is rejecting the calculation about moon sighting. Prophet صلی اللہ علیہ وسلم did not say if you get confuse then ask the expert. Rather he said complete 30 days. Imam Badruddin A'eeni says it is predecessors' unanimous performance that keeping the fast by sighting the moon and breaking it by sighting too.

## (21) Moulana Mufti Munibur Rahman
## The head of Moon Sighting Committee, Pakistan

Now a day some modern people say that, sighting (rooyot) means **knowing**. We say (rooyot) sighting means **to see with the eyes.** Consider the meaning of **Knowing** is symbolic. According to Islamic Jurisprudence, symbolic meaning cannot be taken, unless it is impossible to take the real meaning. So we have to act on the real meaning, i.e. to see with eyes.

## (22) Moulana Tariq Mujahid Jehlaumi
## Bradford, Yorkshire, UK

Sighting the moon is the basic criteria for starting the Ramadan and celebrating the Eids. Ahaadith of the Prophet صلی اللہ علیہ وسلم are verifying the subject matter. Entire Muslim nation is performing the rituals from 1400 years ago on this basis. So it is graded in the Shari'ah as continuous action. Every continuous action has a special rank in Islam. To go against it, is simply rejecting the respected Ummah's continuity. In other word the authorities' status is carrying on from 1400 years ago, you have to change it other way around or you have to write a new calendar regarding all Islamic performances in the pages of history.

History bear witness that when non-civilized nation over powered the well cultured countries; they eventually accepted the occupied country's religion and faith. For example, Germany and Hun nation in Europe and Mongol and Arabian in mid Asia; when Arabs conquered Syria, Egypt and Iran, they learnt from them constructions, poems, crafts and various aspects of knowledge. They never thought to allow something to put in the religion from these nations. Muslims went through so much of political disadvantages, hardship, lack of weapons etc, but for a moment they never changed their religious injunctions by reading Christian books.

Muslims Brothers,

Reject the astronomical calculation and Almanac. Do not worry about non Muslim's comments. Moon sighting is Sunnah, hold it firmly.

According to scholars (Ulama) relying on calculation is like relying on a rejected Ideas and imaginary rules. Consider the observatories version is totally unacceptable and doubtful, as Ulama, Muhaddithieen and Mufasseereen has stated. Author of Ruhul Ma'anee said, "Causes of distance and closeness between the sun and the moon is unacceptable in Shari'ah. Ancient philosophers and modern scientists who worked out the causes, none of them are trustworthy". (The Jang 23 May, 1993)

## (23) Mufti A.Rasool Mansoor Azhari & Imam Sardar Ahmad Qadri (UK)

A renowned religious scholar and legal expert Sardar Ahmad Qadri said, "I believe in neither any formula (by overlooking the Prophet's formula) nor any prediction". Disagreement took place in Britain because of pre recorded calendars. Acting on these calendars is neglecting the teaching of Prophet صلى الله عليه وسلم which is carried on from the blessed era. When there was no observatory's prediction in Britain, unity and harmony used to be seen on the occasion of Eid. Question is: can we put this unity in danger to enjoy one day's holiday?

In Dewsbury (UK) a group of 6 Muslims, took an oath in front of 14 other Muslims, (among them 3 were from the Ulamaa and 1 local councillor) and said, they saw the moon on Sunday between 4:35 -40 minutes in their premises. After interrogating the witnesses these 14 Muslims proclaimed that we have a full confidence on them. In this connection I spoke to Mufti Abdur Rasool Mansoor Al-Azhari and asked him, basis of this witnesses was it correct to celebrate the Eid on Monday? He replied in affirmative and emphasised that it is 100% correct to celebrate the Eid on that day.

Last couple a years in Europe a new misunderstanding erupted among the Muslim immigrants, specially the immigrants from the sub continent. On the occasion of fasting and Eid it gets worst. When observatories'

prediction came on the table, Muslims were relaying on the neighbouring countries. But to taste the flavour of easiness in the name of school holiday and the day off from work people adopted the idea of observatory and ignored the order which is revealed to Muhammad صلى الله عليه وسلم by the divine commandment.

**The observatory's calculation** and **the moon sighting** both demand the fasting should start and Eid must be celebrated. That is why disagreement took place here. Ahle Sunnah Wal Jamah Deobandi became two groups as well as Ahle Sunnah Wal Jamah Barelvi too. Some say we will follow the observatory's calculation and others say we will stand on the moon sighting procedure.

3-4 years it was carrying on like this. One group started writing against another group in the news papers. Witnesses for the moon sighting became targeted and local enmity grew up. One news paper begun putting the flame on the issue, so sectarian violence can break up. Non Muslims started mocking the Muslims on the matter.

In the meantime Mr, Qadri received a phone call from Belgium, "this year we were deprived of actual Eid happiness." Said the caller " Reason being, our Eid was fixed on specific day, but Moroccans and Algerians majority decided to celebrate the Eid on Monday basis of eye witnessing news received from respective countries that moon was sighted on Sunday evening. But we were firm on our decision. A Moroccan scholar (Aalim) asked us "Prophet صلى الله عليه وسلم accepted the witnessing of

Hadhrat Abdur Rahmaan Bin Auf's moon sighting alone (when he was young), yet, no other companion had saw the moon. But Prophet صلى الله عليه وسلم announced the beginning of Ramadan." Huge number of people saw the moon in Morocco, Algeria and Egypt, why do we not celebrate the Eid? Why do you insist of the formula?"

He continued "People left the Pakistan Muslim cultural centre and joined the Moroccan Muslims. They performed the Eid Salaah with them. The next day on Tuesday when our Eid Jama'at started in the Masjidul Aabideen, only handful people were present here. Although the mosque was consist of 3 big halls and each hall can accommodate 2500 to 3000 people. Normally Eid time this mosque get full. But this time it was only 30 to 40 people. In fact they were the mosque committee people and their family members. They could not enjoy the Eid. Everybody was feeling sad. That is why we decided to contact with Mr, Qadri". (The Nation, January 1999)

**Readers can judge that there is nothing different in Fiqh, especially Hanafi School of Thought, the Barelvi or the Deobandis. So why is there unrest within the Ahlus Sunnah wal Jamaah?**

**Ulama and community leaders must resolve their differences in the light of Islam and the Prophet`s صلى الله عليه وسلم guide.**

بسم الله الرحمن الرحيم

# Chapter – 3 of 3

## Salat times & Astronomical Calculation Fatawa by Barelvi Muftiyan-e-Kiram

ان الصَّلوأة كانت علي المؤمنين كتاباموقوتا

“Verily Salaah is obligatory on its appointed time” Al-Quran

## Times for Salaah and Observatory Degrees

### Foreword:

**Dear Respected Reader,**
**Assalaamu Alaikum Warahmatullah**

The basis upon which Salaah times are determined: Shari’ah accepts the time which is based on sighting by the naked eyes. Similarly imaginary birth for a new moon and rules applied for possible witnessing the moon also has no significance in Islam. Allah says; يَسْئَلُوْنَكَ عَنِ الأَهِلَّةِ قُلْ هِىَ مَوَاقِيْتُ لِلنَّاسِ وَالْحَجِّ (سورة البقرة )

and the Scholars are well aware of the fact that the astronomical calculations and degrees are not Prophet صلى الله عليه وسلم says ;

**إنا أمة لا نكتب ولا نحسب الشهر هكذا وهكذا والشهر هكذا وهكذا**

We are an illiterate nation. We do not know how to write or count. A month will have either 29 or 30 days.(Bukhari, Muslim Abu Dawood and Nasaai from Ibn Umar رضی اللہ عنہما "illiterate" are clearly providing evidence for rejecting these means.

We have discussed the matter in the light of Prophet صلی اللہ علیہ وسلم Sahaabah, predecessors and Ahle Sunnah Wal Jamah Deobondites scholars' Fatawaa in detail, the book "the birth of new moon, history of astronomy and modern research". In this annex Ahle Sunnah Wal Jamah Barelvi Fatawaa will be included.

Some people think, "If the use of scientific instruments for determining the Salaah time is permissible then why not it is permissible for fasting and Eid. Why witnessing is the only criteria here?" In fact witnessing is the main criteria for every ritual. For example, to determine the 1st date of the Islamic month depends on witnessing the moon by naked eye. Similarly to determine the Salaah times depend on the movement of the sun. But here Allah صلی اللہ علیہ وسلdid not command us to see the sun itself, rather we are ordained to see the atmospheric conditions surrounding it, which is the result of sunshine. In short, for a new month to see the moon is necessary while for Salaah to see the sun is not necessary.

Prophet صلی اللہ علیہ وسلم did not describe the clear signs for new moon to determine the 1st date. If it was the case, then he would have made the full moon standard criteria to start the new month. Because, it is easy to calculate the days from the full moon as the moon aluminates in this time with complete features.

It is Allah's wisdom that why he commanded us to start from a new moon instead of full moon. Month starts on sighting the

moon and in case of non visibility 30 days have to be completed. At the same time, it is Allah's other wisdom that for Salaah times, instead of sighting the sun itself we are ordered to look at the conditions surrounding it.

So, both are two different matter. It is possible to see the sun light and atmosphere surrounding it for confirming the Salaah times, like Zohar, Asr, Maghrib, Isha and Fajr. In other hand it is impossible to see the moon's surrounding and become confident for a new month.

That is why scholar say, we can act on scientific time but it must not be opposite of practical sighting. Otherwise Salaah will not correct. Details we spoke regarding this matter in our book "correct time of Isha in Britain". Anyway, Shari'ah does not consider the Astronomical prediction and degrees for the Salaah times and the new moon. Rather it takes privilege of sighting the moon with naked eyes. Our aim is with this annex to fill up the gap that Barelvi Ulamas opinions must be focused on in this regard.

Dear Reader,

**We read in Chapter 2 about Moon Sighting and Astronomical Calculations by** Fazil Bareli Moulana Ahmed Raza Khan. He said the same as the *Fatawaa* from Deoband and Saudi Arabia. Similarly what we stated before that according to Prophet صلى الله عليه وسلم and Sahaabah the Salaah should be performed at the time when the signs are evident and the fasting will start when the moon is sighted.

In Britain lots of discussions are going on regarding this issue. Under the supervision of Hizbul Ulama UK, in September 1987 to August 1988 for the whole year Fajr and Isha times were practically observed. Result shows that Salaah times do not correspond with imaginary degrees, whether it is 18 degree or 15 degree. In fact there is a big gap between two degrees. So in this connection 12th April 1988 in BlackBurn, Lancashire, UK a meeting took place for the scholars (Ulama) and then again another meeting held in 1989 2nd of January in the same place. Following resolutions came out as a result of these meetings:

(!) There is a clear cut difference between practical observation and scientific predicted degrees.

(!!) To set the Salaah times at 12, 15 or 18 degrees are not valid.

(!!!) Instead of acting upon observatory's scheduled times sighting should be the main criteria. (For detail see my books)

My books "SALAT TIMES & QIBLAH GUIDE" In English and "BARTANIA ME ISHA KA SAHIH WAQAT" (two different Urdu editions) are in the hands of many readers. Especially the English book "Salaah times and Qiblah guide", and is available on our website www.hizbululama.org.uk and Dr. Khalid Shaukat's web site www.moonsighting.com too. This book consists of 366 pages.

*Part 1 Fajar and Isha times & twilight (p 1-122)*
*Part 2 Salaah Times & Qiblah guide for towns and cities in the UK (p 123-348)*
*Part 3 Analysis in Urdu (p 349-366)*

In these books It have proved in the light of the Quran and the Hadith with references of Ahle Sunnah wal Jamah (based in the Sahabas' way of life) that prayer times are not based on astronomical calculations. Rather they are based on signs and witness. Similarly Islamic month is 29 days, depending on moon sighting; otherwise it is 30 days.

Times of worship (Salaah or fasting) are set by witnessing the movement Sign of the sun and the moon by the naked eyes. For instance, timing for Salaah, instead of seeing the sun itself the deciding factor will be the appearance Sign by Sun`s rays in the horizon.The Mushahadah (eye sighting) of the Salat time signs are the main criterion to apply for prayer (Salat) time over astronomical calculated Degree time. I have explained this point widely in my books.

Every group of Ahlus Sunnah Wal Jamaah benefited from our books, especially, Barelvi brothers, who contacted me after the 'Salat Time' books was published and demand for the book has increased. It therefore transpired the importance to put forward the opinions of the Barelvi Ulama and their Fatawaa in our books. Consequently we added this booklet. Insha-Allah it will draw Barelvi Ulamas' attention and will be a great pleasure for us.

Our main task by this book is to remind the Ahlus Sunnah Wal Jamaah about the Islamic principles for establishing the Islamic Months, and Salat Times to pray on time, this is the Prophet`s method, and with it educating entire Muslims and bringing them together on the path of Rasoolullah صلى الله عليه وسلم. I pray to Allah

Subhanahu Wata`aala to accept our effort and give us all hidayat for Sirate Mustaquim. Aameen.

Maulvi Yaqub Ahmed Miftahi
General Secratory: Hizbul Ulama UK and Central Moon Sighting Committee of Great Britain
10TH Rajab1430/3July 2009 Juma`ah

**Here are the Fatawa from "fatawa Razwiyyah" by Fazil Bareli Moulana Ahmad Raza Khan.**

## G-Fatawaa: Regarding the times for Salaah, Fazil Bareli Moulana Ahmed Reza Khan issued the Fatawaa in which he refutes the calculations of astronomy being definite

## (24) His Fatawaa for Times of Salaah; (Mushahadah or degrees?)

### Fatwaa`: Astronomical calculations about the timing of Salaah He says

Some say, Subhe Kazib (false dawn) happens at 17 degree, some say at 18 degree while others say it is at 19 degree. Preferable is 18 degree. It is Chagmini`s opinion too. Some stated that 15 degree is for subhe sadiq (true dawn). Allamah Barjandi preferred this opinion with a caption "it is said". But Allamah Khalil Kamili fell in to deception and accepted the idea that only 3 degree is

different between two mornings. It is written in Raddul Mukhtar with confirmation also`.

**But all these opinions are baseless`. Shari'ah did not specify anything about it**.

Shari'ah indicated that the subhe kazib (false dawn) happen when the rays are rectangular towards east and west and subhe sadiq happen when rays are standing on north-south direction. You do not have hard evidence to confirm this measurement, only sighting will be helpful to solve the problem out. Because sighting is the standard evidence and beside this everything is nonsense.

**Allamah Bareli then uses the Verses** اَلشَّمْسُ وَالْقَمَرُ بِحُسْبَانٍ **The sun and the moon run on their fixed courses and** ذٰلِكَ تَقْدِيْرُ الْعَزِيْزِ الْعَلِيْمِ **That is the decree of the All Mighty, All Knowing, to refute the observatory-generated times for sunrise and sunset based on the fact that more than one result is deduced and regarded as definite though the formula used for calculation is the same:**

**Allamah Raza Khan** further proved with his own encircling and said that subhe sadiq take place long before 15 degree. His whole discussion can be summarized with 3 points:

1. **Standard criteria should be sighting. Prophet** صلی اللہ علیہ وسلم **did not specify any means. Commonsense does not even give any clear picture about morning's appearance.**
2. **Sighting gives proper image for the times.**

3. **If any rule has to make out it should be based on sighting. Because Shari’ah and logic are silent about it**.

“7th part of the night is morning” is just a wrong idea. Experience bear witness its non reliability. Allah knows best. (Fatawa e Razwia v.10 p. 617 to 624)

## (25) Fatawaa: Fazil Bareli Moulana Ahmad Raza Khan says more (in Fatawa-e- Razwiyyah v.10 p. 617 to 624)

**Question 263**: is there any general law in Shari'ah to determine the “Subhe Sadiq” (early dawn), without looking to the sky. Or do we have to look at the sky and confirm the Subhe Sadiq. In the book “KHAZANATUR RUAYAT” says that 7th part of the night is the time for Fajr. What does it mean?

**Answer**: for Salaah, fasting, Hajj, Zakaah, mourning period for wife after husband had passed away, time line after divorce and pregnancy etc are enforced with the **time** set by the Shari’ah, I.e. sunrise, sunset, mid day, days, month and the year. They are calculated on observations. By using logic or any other means you cannot simply confirm these times. Yes, there are lots of means available to confirm the observation and sighting. It is an Islamic excellent principle that it cannot force human being to take the burden of calculating as “we do not know writings and calculating”, says the Prophet صلی اللہ علیہ وسلم. (Abu Dawood).

Two things made the subject clear, (1) The moon (2) the sun. Changing of these two objects position make easy for common people to trace the required times. Allah says "We have made the **night** and the **day** as two (of our) **signs**: the **sign** of the night have we made dark while the **sign** of the day we have made bright that you may seek bounty from your lord and that you may know the **number** and count of the years: all things have we explained in detail. (Quran 17:12).

In another place Allah says "they asking you about the moon. Say, it is the sign for people's time and Hajj)" (2:90). Allah says "and eat and drink, until the white tread of dawn appear to you distinct from its black tread; then complete your fast till the night appears." (2:187).

Prophet صلی اللہ علیہ وسلم says "keep your fast by sighting the moon and break it by sighting too". (Bukhari v. 1 p. 256)

Certainly, existence of the moon depends on its visibility. (Dar Qutni Kitabus Siam P. 26). Causes for visibility and non visibility of the moon are so many that they cannot put in to table under a specific rule.

**That is why Ptolemy did not discuss in his book the visibility of the moon. He knew it is beyond his comprehend. Although succeeding people tried to explain the causes based on altitude, latitude and longitude etc, but they themselves fell in a pit of many disagreements. So where there is disagreement takes place, you simply cannot make out any standard rule.**

Modern scientists spending too much times on *unnecessary issues*. Unfortunately, they cannot provide exact time for the visibility of the moon. They knew it is out of their capacity. So our scholars said in this regard "we will not consider the observatory's statement. In Durre Mukhtar it is said "observatory's statement cannot be relied upon." (Durre Mukhtar v. 1 p. 148)

**After that he was stating Astronomical calculations about the timing of Salaah and said,**

Some say, Subhe Kazib (false dawn) happens at 17 degree, some say at 18 degree while others say it is at 19 degree. Preferable is 18 degree. It is Chaghminee's opinion too. Some stated that 15 degree is for subhe sadiq (true dawn). Allamah Barjandi preferred this opinion with a caption "it is said". But Allamah Khalil Kamili fell in to deception and accepted the idea that only 3 degree is different between two mornings. It is written in Raddul Mukhtar with confirmation also. But all these opinions are baseless.

Shari'ah did not specify anything about it. Shari'ah indicated that the subhe kazib (false dawn) happen when the rays are rectangular towards east and west and subhe sadiq happen when rays are standing on north-south direction. You do not have hard evidence to confirm this measurement, only sighting will be helpful to solve the problem out. Because sighting is the standard evidence and beside this everything is nonsense.

Moulana Raza Khan further proved with his own encircling and said that subha sadiq take place long before 15 degree. His whole discussion can be summarized with 3 points:

4. Standard criteria should be sighting. Prophet صلی اللہ علیہ وسلم did not specify any means. Commonsense does not even give any clear picture about morning's appearance.

5. Sighting gives proper image for the times.

6. If any rule has to make out it should be based on sighting. Because Shari'ah and logic are silent about it.

The 7th part of the night is morning" (S.S.) is just a wrong idea. Experience bear witness its non reliability. Allah knows best. (Fatawaa Razwia v.10 p. 617 to 624)

## H-Fatawaa:
## Questions on Salaat Times to Barelvi Muftiyan-e-Kiram sent by Hizbul Ulama UK and the following are the Fatawaa responses

**Respected, Moulana Mufti ................................................ Esq.**

Assalaamu Alaikum wa Rahmatullah wa Barakaatuh

Please answer the following questions. It will be a great pleasure for us. Hope you keeping well. Remember us in your virtuous Duas.

**Question:**

A. For timing of Salaah, which one will be more reliable between the observatory's calculation and the signs?

B. In case of dissimilarities between the observatory and the sings which one should be followed?

Signature: Ya'qub Ahmad Miftahi

Secretary: Hizbul Ulama UK

- **Note:** in Britain nights are very short in some months. In those months redness in the horizon disappears within 2 hours time. The sun rises very quickly. Workers get very little time for sleeping. It is hard to get up for Fajr. In this instance, considering Isha time as non existence, is it correct to read Isha

one hour immediately after the sunset? A scholar (an Aalim) gave a fatawa that in these circumstances within a short period of time to read Isha is acceptable, especially nights of April, May, June, July and August. Following proofs he provided:

Some verses quoted from Quran and Ahaadith which indicate the easiness in religion is preferable than the hardship.

NB**:** Readers must note that the answers regarding Moon Sighting can be read in Chapter 2

**(26) Mufti Shahaadat Hussain Razwi**
**Darul Ifta, Mohallah Saudagaran, Bareli**

**Answer:**

A. A Priority should be given on signs and sightings.

B. B Between calculation and signs, signs will be taken into account. Allah knows best.

**(27) Mufti Zainul Aabideen**
**Jameaah Ashrafiyyah, Faizabad, India**

**Answer**:

A. If the observatory's counting based on sighting then it is acceptable, otherwise not.

B. In case of dissimilarities observatory is unacceptable.

**(28) Mufti Muhammad Shareeful Haque**
**Darul Uloom Ashrafiyyah, Mubaarakpur, India**

**Answer: (the times for Salaah)**

The Mushahadah (sighting of Salat times) is preferable on condition that the person must be trustworthy. Sky must be clear, it must not be cloudy or fogy.

A **question** arises here**,** if for the Salaah times the observatory is acceptable, then why not it is considered for the fasting and for the Eid? This answer was given by Imam Ahmad Reza that regarding the moon Shari'ah took

in to account the sighting otherwise 30th day must be completed. In the Hadith the word is used “FAIN GAMMA” means if “the moon is hidden by cloud”. It is indicating that the moon is appeared in the sky so high that if there was no obscure then it would have been sighted. Because of some kind of darkness it cannot be seen. In this instance to fill up the 30th day is obligatory. Sighting is the main criteria. Prophet’s صلى الله عليه وسلم word “we are an illiterate nation, do not know writing and counting” made the topic clear that nothing should be taken in to consideration except sighting. In the other hand the time of Salaah, they are depending on sun rise and sun set etc. Not on their sighting. That is why if it is become known by any means that the sun is risen or set then it will be acceptable to act upon it.

## (29) Darul Ifta Darul Uloom Thaam Dist: Bharuch, Gujarat, India

A. Set the time for Salaah also depend on sighting. By repeating of sighting makes the rule clear that particular Salaah will be on that specific time. So it is easy to confirm the time before the Salaah commence.

B. Generally there will be no difference, but if anything happen likes this, then sighting will be taken in to account.

## (30) Mufti Muhammad Shabbir Ahmad
## Darul Uloom Shahe Aalam,
## Ahmadabad, Gujarat, India

A. The signs are described in the Hadith books; Mushahadah of these signs will have the priority, not the observatory's calculation(Degrees).

B. In case of differences between the observatory and the sighting, sighting will be given privilege.

## (31) Mufti Muhammad Ya'qub, Darul Ifta, Jaami'ah Gulzaar Habeeb Soldier Bazaar, Karachi 3

A. In this case, redness in the horizon takes time to disappear, in other words redness does not totally fade away, according to Hanafi school of thought, before redness disappear Isha Salaah cannot be read. Sleeping is not an excuse. Day is so long, it can be cover up in the day. Allah knows best.

## (32) Mufti Waqar Uddin
## From Monthly Taybah, Shah Aalam, and
## Ahmadabad, India

A. Lots of countries have disproportionate times for day and night. Where there is sunrise and sunset every day takes place, irrespective of night short or long Salaah must be

performed at the due times. Maghrib and Isha will be read according to Hadith.

You brought the topic of London etc places, Maghrib time will be over when twilight disappears. Now, you saying night is short, that is why you want to read Isha Salaah after an hour of Maghrib. It is totally unacceptable in Shari'ah.

In the morning to go to work everybody has to sleep early, so Isha Salaah must be read in advance. Yet, you are accepting the fact that after twilight there is time for Isha Salaah remains. It means Salaah times must be arranged according to workers requirements. A Muslim cannot even think the most important worship should be performed before time is commence, knowingly Allah has ordered Salaah should be performed with its specific times.

The Ahaadith you quoted, according to the scholars of Hadith they are non practicable Ahaadith. Reporting standard of these Ahaadith are questionable while the other side strong Ahaadith are available. So practice will be taken place on the strong Ahaadith.

# Fatawaa: I - An Important Extra fatawaa by Deobandi Scholars & Important Argument;

## Foreword

### Imam Abu Hanifah رحمه الله and the Testmony of one or two Witnesses on Sighting the Moon when the Sky is Clear

In accordance to the practice of Rasoolullah صلى الله عليه وسلم Imaam Abu Hanifah رحمه الله has accepted the testimony of one witness for Ramadhaan and two witnesses for Eid when the sky is clear.

An opinion of Imaam Abu Hanifah رحمه الله has been related on the authourity of Hasan ibn Ziyaad رحمه الله whereby he says that Imaam Abu Hanifah رحمه الله does not regard it as necessary for a large group of people to testify to having sighted the moon when the sky is clear. This opinion has been preferred by Allaamah Ibn Nujaim رحمه الله in Bahrur Raaiq and Allaamah Shaami رحمه الله in Raddul Muhtaar.

It has been established that according to those Hanafi Scholars who regard it as necessary for the moon to be sighted by a large group of people when the sky is clear, they still conform to the practice of Rasoolullah صلى الله عليه وسلم in accepting the testimony of one or two witnesses whereby they grant the Qaadhi the discretion to pass judgement on the sighting of the moon if he is satisfied with the testimony (even if the testimony if offered by only one person).

So, those people who reject the testimony of one or two witnesses when their testimony does not conform to the theory that forecasts the possibility of sighting the new-moon and **they base their rejection of such testimony on the fact some Hanafi Scholars reject the testimony of one or two witnesses if the sky is clear** due to them regarding it as necessary for the moon to be sighted by a large group of people in such a case.

**It is absolutely clear that the reasoning of such people is based on the doubtful and invalid calculations of astronomy, whereas the testimony of one or two witnesses is proven from the categorical texts of Shari'ah as has been discussed by the Scholars of Ahlus Sunnah from among the Barelwi and Deobandi ranks which specific reference to Moulana Ahmad Raza Khan Barelwi and the Fatwaa of Moulana Ashraf Ali Thanwi also indicates the same.**

**The fact that the calculations and theories of astronomy are doubtful and invalid is sufficient to prove that any analogy made in favour of it is invalid. Thus, it is established that the new-moon theory and its related calculations pertaining to the possibility of sighting the new-moon do not qualify in any degree as a proof recognised by Shari'ah.**

There are certain people who do not accept the testimony of one or two witnesses who claim to sight the moon on the evening after the 29th day on the Lunar calendar when it is not possible to sight it according to the new-moon theory and related calculations of astronomy. They rather make an analogy and

stipulate that the moon, in such a circumstance, should be sighted by a large group of people.This analogy of theirs happens to be invalid for three reasons:

(1) The first reason is that they base their analogy on the fact that the Hanafi Scholars do not accept the testimony of only one or two witnesses when the sky is clear but rather stipulate that the moon should be sighted by a large group of people and those who wish to use the new-moon theory cite the reason for the Hanafi Scholars doing so because this results in the witness being suspicious of lying. However, we find that the Hanafi Scholars have not mentioned this as their reason for stipulating this condition but they rather refer to this as being an error in sighting by the witness and not a suspicion of lies (*as will be explained in the Fatwaa of Mufti Abu Zafar Deobandi*). There is a great difference in a person being mistaken and him being a liar. A person may be speaking the truth but he may not be aware of some genuine reason for his statement being in wrong and this does not make him a liar.

An example of this is the person who testified to Second Khalif Hz.Umar رضی الله عنه that he had sighted the moon and in his statement he was honest. However when he was instructed to rub his eyes and look again he admitted that now he could not see the moon. His first statement whereby he stated that he could see the moon was because there was a hair from his eyebrow hanging over his eye and it looked like the moon so he was not lying, but had rather erred. However when he was made to rub his eyes and look again he realised that what he seen was a hair from his eyebrow and he admitted to not having seen the moon. Thus his statement was incorrect but not a lie.

(2) The second reason is that the Jurists have ruled that if the testimony of any witness is rejected by the Qaadhi for any reason the witness will still have to keep a Fast (if the sighting was for Ramadhaan). This is because the Jurists believe that this witness is true in his testimony but on the basis of a possibility of error they do not make his testimony binding upon the general masses for the compulsion of Fasting.

(3) The third reason is that the basis of their analogy is something that is invalid since they wish to make an analogy to for the use of the new-moon theory and astronomy based calculations which are in themselves doubtful as well as invalid, whereas testimony of a witness is proven as valid from the categoric texts of Shari'ah. This has been established from the rulings of Scholars of the Ahlus Sunnah with specific reference to Moulana Ahmad Raza Khan Barelwi as well as Deobandi Scholars as will appear ahead in the Fatwaa od Mufti Abu Zafar Deobandi. This becomes further clear in the Fatwaa of Moulana Ashraf Ali Thanwi whereby he states that the new-moon theory and its related astronomy based calculations do not have any degree of acceptance or validity in Shari'ah.

In addition to this, the use of doubtful and invalid sciences, such as the new-moon theory and its related calculations as a basis to prove something outlined rather explicitly by Shari'ah is sufficient to indicate that such an analogy is invalid and incorrect.

Thus the new-moon theory and its related calculations and forecasts do not qualify as a proof recognised by Shari'ah even if

it is taken to be the basis for establishing the physical sighting of the moon,

**(A)** As is said, '**We also recognise only the 'Muhaqqaq' (*Reliably Established*) sighting of the moon and not the calculations of astronomy.**' Well, if that is the case then what is implied by the word 'Muhaqqaq' (*Reliably Established*)? Is this some clause derived from the Qur'aan or Hadith? Not at all! It is rather that same system that was regarded as rejected by Rasoolullah صلى الله عليه وسلم which has now assumed the name of the "New-moon Theory and the Laws Pertaining to the Possibility of Sighting the New-moon".

**(B)** Alternatively it is stated that, 'Only the sighting of those in the East should be applicable to those in the West (*and not vice-versa*). The generality of the Hadith quoted by the Muhadditheen (Scholars of Hadith) and Fuqahaa (Jurists) which states that the beginning and end of Fasting should be done upon sighting of the new-moon, allows for those in the East to adopt the sighting of those in the West and vice-versa as well. This view has been fully supported by our Pious predecessors from the Ahlus Sunnah wal Jamaa'ah with specific to the Fataawaa of Deobandi and Barelwi Scholars (in addition to the fact that the new-moon theory and its related calculations are invalid in Shari'ah) as has been discussed earlier.

The Scholars of Islam are aware that Rasoolullah صلى الله عليه وسلمhas flatly rejected the calculations of astronomy with regards to establishing the new-moon. This fact has been expressed in the

Fataawaa of the Scholars of Ahlus Sunnah Wal Jamaa'ah mentioned earlier. It is for this reason that the Fuqahaa (Jurists) from that era onwards did not even allow the use of such calculations and theories as a guide.

It is thus surprising that some people regard **the theories and calculations of astronomy as invalid yet at the same time they also regard it as a valid pre-condition for the acceptance of a testimony** by using it as a guide or gauge to determine the genuineness of a witness. They say that, although these calculations cannot be used to prove the sighting of the moon and according to the vast majority of Scholars they cannot even be used to reject any sighting of the moon; it is nevertheless permissible to use these calculations to remove the possibility of the witness lying.

They then also state that just as the Hanafi Scholars stipulate that the moon should be sighted by a large group of people when the sky if clear, in the manner, in order to remove the possibility of the **witnesses lying** we also stipulate that the moon should be sighted by a large group of people on such a day wherein it is not possible, according to the calculations and theory of astronomy, for the moon to be sighted. This is done so that any Aadil witness would be safe from the suspicion of lying.

In the light of these issues we thus sought to establish from Mufti Abu Zafar Saahib whether it is permissible to make an analogy in this manner. The following Fatwaa was received in response to our query:

**The following questions were sent by the Central Moon sighting Committee of Great Britain to Mufti Abuzafar Deobandi Hafezahullah.**

Respected Mufti Abu Zafar Deobandi

السلام عليكم ورحمة الله وبركاته

We are presenting a question to your respected self before which we wish to bring to your attention the following introduction:

1. In Saudi Arabia the new-moon is established in accordance to the instruction and practice of Rasoolullah B whereby they suffice on one witness for the start of Ramadhaan and two witnesses for establishing the new-moon for both Eids.

2. According to the Hanafi Math-hab, due to the witnesses being suspected of lying or due to the testimony being doubtful, they add the condition that the new-moon should be sighted by a large group of people together with the primary condition of them being religiously upright.

**(A)** In justifying this deduced ruling of the Hanafi Math-hab which is contrary to the instruction and practice of Rasoolullah B it can be said that, 'Because all the Sahaaba رضى الله عنهم were religiously upright, Rasoolullah B thus sufficed on their Imaan as a gauge for the truth of their testimony. He did not stipulate the condition of them being "religiously upright".' He then accepted the testimony of any Sahaabi (Companion) based on his Imaan (Faith). However after this

period which was the best of eras the Fuqahaa then added the condition of witnesses being "Religiously Upright" to serve as a gauge and assist in repelling the false testimony doubtful testimony of any witness.

**(B)** In the light of the above mentioned reasoning of the Ahnaaf we find that now the calculations of astronomy are also used as a gauge and guide in rejecting the testimony of any witnesses who claims to have sighted the new-moon on the evening after the 29th day of a lunar month if such a sighting is in conflict to the calculations forecasting the possibility of sighting the new-moon on that evening. This rejection is based on the possibility of the witness being false or his testimony being doubtful.

**(C)** In such a circumstance the testimony of one, two or a few witnesses is rejected on the basis of suspicion and the sighting by a large group of people is regarded as necessary.

**Conclusion:**

The testimony of a large group serves as a gauge to prove the truth of the matter with certainty and is similar to the testimony of one individual whose testimony is regarded as true based on the practice of Rasoolullah B. Whereas the calculations of astronomy are not only in open conflict with the texts of Shari'ah but they have also been rejected by the Qur'aan and Hadith. In addition to this, the Jews and Christians have been using their own lunar from even before the era of Rasoolullah صلى الله عليه وسلم (*refer to the note below*). Rasoolullah B rebuked those who adopt

the ways of the Jews and Christians by saying, 'Whoever emulates a nation is from them.'

**Note:**
It should be noted that the astronomy based calculations referred to above are those theories formulated by Metone in 431 BC. These theories were then adopted by Haleel II, the Highest ranking Jewish Rabbi at Baitul Muqaddas, Jerusalem, in the year 358 CE, whereby he gave up the simple manner practiced by the Prophets and made these theories part of the religion. To this date the Jews and Christians still base their Religious Dates on the Religious Lunar Calendar which is based on the theory of the new-moon being present on the horizon, with the possibility of being sighted.

It is not a hidden fact to the Scholars or Islam that Rasoolullah صلى الله عليه وسلم was sent to this world to do away with the previous ideologies based on ignorance. In addition to this, it is also apparent that the Jews, due to their knowledge of astronomy calculations, would ask the Sahaabah رضى الله عنهم as to why the moon would appear in different sizes and at times remain hidden from our sight. The Sahaabah رضى الله عنهم were then compelled to approach Rasoolullah صلى الله عليه وسلم seeking an answer to these queries. In answer to this Allah revealed the following Verse:

يَسْئَلُوْنَكَ عَنِ الْأَهِلَّةِ

They ask you about the (phases) of the moon…….

The answer from Allah diverts their attention from the actual subject of the question and rather draws them to the simple and

natural system of physically sighting the new-moon. When Rasoolulah صلى الله عليه وسلم said ;

إنا أمة أمية لا نكتب ولا نحسب الشهر هكذا وهكذا وهكذا وعقد الإبهام فى الثالثة والشهر هكذا وهكذا وهكذا يعنى تمام ثلاثين (الصحيح البخارى ج١ ص٢٥٦ – الصحيح لمسلم ج١ ص٣٤٧)

We are an illiterate nation who do not write or count, he literally denounced the astronomy based system of the Jews and His physical practice was also such that despite the fact that the Jews who lived in Madinah knew how to engage astronomy to calculate the phases of the moon, Rasoolullah صلى الله عليه وسلم did not seek assistance from them I determining the new-moon.

After this introductory note, the following questions are posed:

**1.** Have the Jurists of the Hanafi Math-hab regarded the sighting of the moon by a large group as necessary? Why have the Jurists of the other Mathaahib not regarded it as necessary? It is true that if the moon is not sighted by a large group of people in accordance to the conditions outlined in Hanafi books of Jurisprudence (Fiqh) then the Qaadhi has the discretion to pass judgement on the moon being sighting if it was seen by such a person whom he trusts to be truthful.

**2.** Can the new-moon theory be used to determine the truth of a person who claims to have sighted the moon on the basis that it serves the same purpose as the requirement stipulated by Hanafi Scholars for the moon to be sighted by a large group of people in clear weather condition.

**3.** In the light of the above-mentioned conclusion and note will it be correct to regard the use of astronomy based calculations as an 'assistance' and confer it with the status of being a 'Gauge' in Shari'ah due to it serving the same purpose as the condition set by Hanafi Scholars for the moon to be sighted by a large group of people in order to prevent witnesses from lying.

**4.** If, according to astronomy based calculations, sighting the new-moon is not possible on the evening after the 29th day of a Lunar month, will it then be permissible to reject any witness or testimony regarding the sighting of the moon on such an evening or to stipulate that it will only be accepted if it was sighted by a large group of people. This all being despite the fact that such calculations are not recognised by Shari'ah, not definite and only a supposed theory.

**Moulvi Ya'qub Ahmad Miftahi**
**2 Jumaadal Ukhraa 1430 AH**
**13 June 2009**

## The Fatawaa by; Mufti Abu Zafar Deobandi (Birmihgham UK)

**Answer: The Fatawaa :**

**(1)** According to the some Hanafi Jurists if the sky is clear the testimony of one or two religiously upright persons will not be accepted but it would rather be necessary that the moon be sighted by a large group of people. The Jurists of the other Mathaahib do not differentiate between a clear and overcast sky whereby they regard the sighting by one or two religiously upright witnesses, in both cases, as acceptable and a definite and binding proof. It has been narrated from Imaam Abu Hanifah رحمه الله that the testimony of two witnesses will suffice to establish the sighting of the moon. **Allaamah Ibn Nujaym رحمه الله has preferred this opinion in Bahrur Raaiq whereby he states that this narration should rather be adopted because the people are too lazy for sight the Hilal in this era that we live in (I`m (MAZ) saying now a day people like to see the Hilal into the TV screen , Internet instead of seeing at the Horision .They try to go back to the Astronomical Calculation to be fee from the obligatory Sighting!).Allaamah Shaami رحمه الله states that this narration negates the basis for the ruling mentioned in `Zaahirur Riwaayah `and it will no longer apply. So, Fatwaa will rather be issued on the narration under discussion**. وعن الإمام أنه يكتفى بشاهدين واختارخ فى البحر حيث قال وينبغ العمل على هذه الرواية فى زماننا الخ وقال الشامى فانتفت علة ظاهر الرواية فتعين الإفتاء بالرواية الأخرى (الرد مع الدر ج٢ ص١٠١) (*Raddul Muhtaar Vol.2/Pg.101*)

This difference between the Mathaahib does not, in any way, imply that the these Hanafi Jurists have given preference to their deductions over the instruction and practice of Rasoolullah صلى الله *عليه وسلم* whereby they regard it as necessary for the moon to be sighted by a large group of people and in so doing reject the testimony of one or two witnesses.

The actual basis of this difference is that the narrations that relate to the testimony of one or two Aadil witnesses being accepted are regarded by these Hanafi Scholars to refer to situations whereby the sky was not clear, whereas the Scholars of the other Mathaahib regard these narrations to

refer to situations that general whereby the sky is clear or overcast.

1. The unrealistic reason of this condition being stipulated by the Hanafi Scholars **due to the possibility of the witnesses lying or them being suspected of lying is not found in any of the reliable books on Hanafi Fiqh (Jurisprudence) and is tantamount to interpreting the statement of a person in such a manner that he would not appreciate…..** 'If only one or two witnesses testify to having sighted the moon whereas the sky is clear and no one else managed to see it then their testimony will not be accepted due it the moon not being sighted by any others **and not because the witnesses are regarded as liars or suspected to have lied.'**

**The great difference between an error and a lie is rather apparent to Scholars of Islam**.

فلا يقبل خبر الواحد لأن التفرد من بين الجم الغفير بالرؤية مع توجههم طالبين لما توجه هو إليه مع فرض عدم المانع وسلامة الأبصار **وإن تفاوتت فى الحدة ظاهر فى غلطه** (الدر المختار ج٢ ص١٠٠)

وفى الفتح قوله لأن التفرد بالرؤية فى مثل هذه الحالة **يوهم الغلط** لا يريد تفرد الواحد وإلا لأفاد قبول الإثنين وهو منتف بل المراد تفرد من لم يقع العلم بخبرهم من بين أضعافهم من الخلائق (الفتح ج٢ ص٢٥٢)

The news of sighting the moon by one person will not be accepted because the fact that he was the only person to have sighted the moon despite a whole group of people searching for the moon in the same direction that he was looking in the condition that there was nothing obstructing them (the sky was clear) and their eyesight was in order, though differing in

sharpness (strength) all proves that **<u>he was in error</u>** **(and not lied)**. (*Durrul Mukhtaar Vol.2/Pg.100*).

This does not mean that only the testimony of one witness is not be accepted and if there are two such persons then it would be accepted, but rather this implies that the testimony of such people who are be regarded as alone in this sighting when compared to the multitudes who did not see the moon (despite the conditions being favourable).

It is thus incorrect to use the new-moon theory to reject the testimony of one or two witnesses who testify to having sighted the moon on the evening after the $29^{th}$ day, simply because their sighting is not in conformance to the theory that forecasts the possibility of sighting the moon and then to justify the rejection of such a testimony by likening the formula of this theory to the unauthentic and absurd interpretation of 'the possibility of lies or suspicion of lies' offered as the reason why these Hanafi Scholars regard it as necessary for the moon to be sighted by a large group of people when the sky is clear.

This means that **it cannot be argued that since these Hanafi Scholars keep themselves covered from the witness being a suspect of lying by stipulating that when the sky is clear then it is necessary for the moon to be sighted by a large group of people so we are also keeping ourselves covered from the possibility of the witnesses being liars or suspected liars by regarding it necessary for any testimony to be in conformance to the new-moon theory**.

It also cannot be argued that since the Hanafi Scholars reject the testimony of one or a few witnesses if the majority of people did not sight the moon under the same conditions as them then the new-moon theory is also something very apparent and any sighting not in conformance to it should also be rejected. **This argument is not valid because there is no consistency in this theory whereby astronomers differ greatly among themselves, thus this theory is not equal to the reasoning adopted by the Hanafi Scholars**.

2. **The use of astronomy based calculations as well as the new-moon theory cannot be used to reject the testimony on the pretext that he it proves him to be a liar or suspicious of lying and neither can it be used to accept any sighting**.

   This means that it can never be implied that since the testimony is not in conformance to the new-moon theory thus it will be rejected. In the same manner it cannot be said that, according to the new-moon theory, since there is a possibility of the moon being sighted thus the testimony should be accepted.

   **This is all because the testimony of a Aadil person qualifies as a definite proof in Shari'ah whereas the new-moon theory and all the observations of astronomers are not apparent facts but rather intricacies of astronomy. The definition of something apparent is that is should be equally possible for the learned as well as illiterate to understand whereas this is not the case with this theory and its related calculations. Thus it cannot be regarded as an accepted proof to any degree**.

In addition to all this detail the theories of astronomy and the formulas relating to the possibility of sighting the new-moon have been regarded as unreliable when determining the sighting of the moon. The Jurists of Islam have mentioned the following in this regard:

بل ظاهر قوله عليه السلام "فإن غم عليكم فأكملوا العدة ثلاثين" ينفى تعليق الحكم بالحساب أصلا إذ لو كان الحكم يعلم من ذلك لقال فاسئلوا اهل الحساب وقد رجع قوم إلى أهل التيسير فى ذلك وهم الروافض ونقل عن بعض الفقهاء موافقتهم قال القاضى فيهم: وإجماع السلف الصالح حجة عليهم وقال ابن بزيزة هو مذهب باطل الخ (العينى ج٨ ص٥٠)

Rasoolullah B stated, 'If the moon is not visible (due to cloud cover, haze, dust etc.) then complete the month with thirty days.' **The apparent meaning of this Hadith totally negates the possibility of basing the sighting of the moon on astronomy based calculations because if the sighting of the moon could be established in that manner then Rasoolullah B would have instructed us to ask the astronomers**. *The **Rawaafidh (Shi`eah) have however adopted this method.**.* Qaadhi Iyaadh رحمه الله states that the consensus of our pious predecessors is sufficient as a proof against them. Ibn Bazeezah رحمه الله states that such an opinion is invalid. (*Al-Ainee Vol.8/Pg.50*)

وقد قال بالحساب **مطرف بن عبد الله من التابعين** وابو العباس بن سريج من الشافعية وابن قتيبة من محدثين فقد **قال ابن عبد البر لا يصح عن مطرف** وقد نقل ابن خويز منداد عن الشافعى ما عليه الجمهور (فتح البارى ج٤ ص٢١٥)

**Mutarrif ibn Abdullah رحمه الله who was a Taabi'ee, However Ibn Abdul Barr رحمه الله says that it is not reliably related from Mutwarrif** رحمه الله to use culclation... ***The more prominent opinion related from Imaam Shaafi' رحمه الله conforms to the opinion of the Majority of Scholars.*** (*Fat-hul Baari Vol.4/Pg.215*)

ولا عبرة بقول الموقتين ولو عدولا على مذهب الصحيح ولا يعتبر قولهم "بالاجماع" ولا يجوز للمنجم أن يعمل بحساب نفسه وفى النهر فلا يلزم بقول الموقتين أنه أى الهلال يكون فى السماء ليلة كذا وإن كانوا عدولا فى الصحيح كما فى الايضاح..أن الشهادة نزلها الشارع منزلة اليقين وما قاله السبكى مردود رده عليه جماعة من المتأخرين ... أن الشارع لم يعتمد الحساب بل ألغاه بالكلية الخ (الدر المختار مع رد المحتار ج٢ ص١٠٠)

The opinion of astronomers is not accepted even though they are Aadil and it is not permissible for astronomers to practice on their personal opinions. In Nahr it is mentioned that the opinion of astronomers does not necessitate that the moon will appear in the sky on a certain night. This is despite the astronomers being religiously upright as is mentioned to be the correct opinion of the Math-hab. Shari’ah has regarded physical sighting of the moon as definite and what Imaam Subki has stated has been refuted by a group of latter-day Scholars. …Shari’ah has not given consideration to the opinions of astronomers but has rather refuted it totally. (*Durrul Mukhtaar Vol.2/Pg.100*)

**3.** The detail to this ruling according to these Hanafi Scholars is that if the sky is clear then the testimony of only one or two witnesses will be rejected though they are Aadil. This will not be on the basis of the new-moon theory but rather due to the fact that the apparent reality is against them in that the majority had failed to sight the moon despite the conditions being equally favourable for all to sight it.

Other Ahnaf says; If the sky is not clear their testimony will be accepted and **the new-moon theory will, in any case, be disregarded**. According to the other three Imaams of Fiqh رحمه الله

the testimony of the witnesses will be acceptable **whether sky is clear or not and the new-moon theory will be disregarded**. Allah knows best

**(Mufti) Abu Zafar**
**15 Rajab 1430 AH**
**08 July 2009**

## Fatawaa by; Maulana Ashraf Ali Thanvi

He says رحمه الله ; It is incorrect to use astronomy based calculations and principles laid down by scientists or astronomers (new-moon theory etc) as a basis for determining the sighting of the moon. It is not permissible to give a definite ruling on a date or to stipulate it simply on the strength of astronomy based calculations.

The reason for this is that, firstly, the principles and theories of astronomy are doubtful and inconsistent. However, even if they are taken to be absolutely correct then Shari'ah has not given any consideration to them at all. The Hadith wherein Rasoolullah صلى الله عليه وسلم said that 'we are an illiterate nation that does not write or count' serves to reject the science of astronomy. (*The Ruling of Shari'ah on the Calendar Pg.49*)

# Conclusion:

Unlike the Rawaafidh The Shi'a as well as the Ahlul Kitaab (Jews and Christians), we tend to repeatedly claimed about the practice and system of Rasoolullah صلى الله عليه وسلم and His Noble Companions adopted by our Pious Predecessors and go about adopting the calculations of the Rawaafidh and the Jews and Christians who have earned the anger of Allah and despite this we proclaim to be Sunni, Hanafi, Deobandi, Thanwi Ahlul Hadith ,Salafi or Barelwi. In such a case we have definitely become from those who adopt such calculations and theories and in order to achieve our true identity we should, together with Praying (making Du'aa) unto Allah for guidance, have the courage and strive to live up to the claims we make.

*O Allah Guide Us To The Straight Path. The Path of Those Whom You Have Favoured and who go not astray - Aameen*

**NB:** *The Fatawaa ends here. If you want to see more Fatawa on this topic please go to our web site and click on our latest book `` The Hilal Judgment on Moon Sighting According to Shari'ah , The History of Astronomy & The Latest Research`` in English or in Urdu ``Shar`ea Thuboote Hilal, Tarikhe falakiyyat aur Jadid Tahqique`` and `` Thuboote Hilal New moon Theory aur Darul Uloom Karachi ka Fatwa* **``.**

**Reader Can see more on our web site www.hizbululama.org.uk about moon sighting and Salat Time in our Books:**

The Author's other books are, Fajr & Isha Times and Twilight / Salat Times & Qiblah Guide for Towns and Cities in the United Kingdom,

`The Shara`ee Thuboote Hilal aur Namazon ke awquat (Urdu-fatawa of Barelvi), Bartanyah main Isha ka sahih waqt, (Urdu) and, Aalamat-e-Mazahib aur music ka falsafa (Urdu and Guajarati), Sharaee Thuboot -e-Hilal, new moon theory aur Darul Uloom Karachi ka Fatwa (Urdu) and others.

The Hizbul Ulama UK (The Society of Muslim Scholar in UK) and Central Moon Sighting Committee of Great Britain was established in 1403H/1984CE by Ulama-e-Deen of Britain.

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In direct consequences of the Satanic Verses, the author of this book was one of five person delegation of the UK Action Committee on Islamic Affairs, which attended and submitted a resolution dossier against the Satanic Verses in the 18th

Organisation of Islamic Countries (OIC) Foreign Ministers conference in 1989, Riyadh, Kingdom of Saudi Arabia.

**The Author's books:** ***``Hilal Judgement in The Light of Sharia`h, The History of Astronomy & The Latest Moonsighting Research``, Britianiya me Isha ka sahih waqt*** **(Urdu), Aalamat-e-Mazahib aur music ka falsafa (Urdu and Gujurati), Sharea Thuboote Hilal, The Fatawa of Deobandi Barelvi Schoolers (Urdu), The Shari'ah Moon Sighting, Salat Times & Astronomical facts (in 3 Chapters) -Devbandi-Barelvi Maqtab and Awqat-e-Namaz Fatawaa (English), Falakiyat wa Sharee Thuboot-e-Hilal (in 5 parts)–Devbandi-Barelvi Maqtab aur Awqat-e-Namaz Fatawaa (Urdu) and others.**

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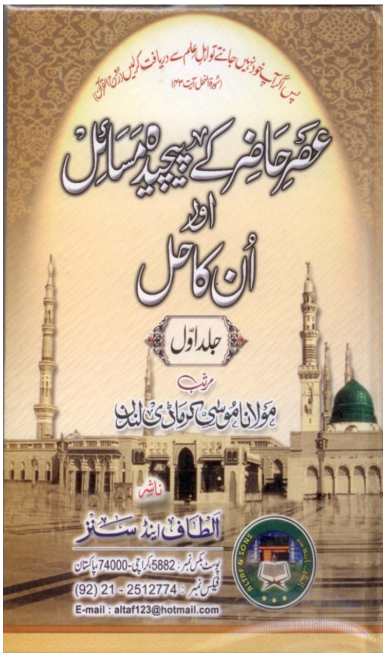
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**TRANSLATED BY:**

**MUFTI MUHAMMAD ASLAM PATEL HARARE, ZIMBABWE**



بسم الله الرحمن الرحيم

# Defrances between Experts of Astronomy!

*In my other book, used as a reference, we sighted the crecent of Zulhaj 1409 on the eve of 3rd July1989 Saturday after 11 hours 15 mins theoretically calculated new-moon birth whilst in Madinah Munawwarah KSA and also mentioned the telephone conversation I had with Propheser Bernard Yallop.*

*Someone in Britain forwarded this reference to an expert in astronomy calculations, Dr.Khalid Shaukat at America seeking his opinion. It has been several months to date that the person who sent the query sent me an email of Khalid Shaukat's response in which he has attested to the truth of the sighting in very strong words i.e. Kalid Shaukat said it was possible to sight the moon when we did. This, despite the fact that other astronomers, using the theory of prediction, state its impossibility.*

***Conclusion:*** *It was the same mode of calculation that the Muslim expert on calculations, Dr.Khalid Shaukat, had used to offer his positive opinion which lends support to the proof of Shari'ah whereas on the basis of the same calculations Professor Bernard Yelop (who is affiliated by lineage and ideology to the famous Rabbi, Halel II 358 CE) and certain of his so-called Muslim followers offer a negative opinion which refutes the evidence of Shari'ah.*

# The Research of a Muslim Astronomer, A.H. Sultan

**The Observatory, 127, No. 1, 53-59/February 2007/The Observatory, 127, No 1, 53-59/February 2007**

**FIRST VISIBILITY OF THE LUNAR CRESCENT: BEYOND DANJON'S LIMIT**

**- By A. H. Sultan**

**Physics Department, Sana'a University, Yemen**

***"Many methods for predicting lunar first visibility have been proposed throught history and new models are still being developed. All these models have to be compared with theblished observations to test...We find that lunar crescent may be seen with a suitable telescopic magnification and ideal local conditions when the Moon is about 5° from the Sun. Consequently, the thin lunar crescent may be seen in a telescope even at` ``new Moon `` when the Moon is at its greatest`` inclination`` .***

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The Society of Muslim Scholars in UK (Hizbul Ulama UK) and Central Moon Sighting Committee of Great Britain was established in 1403H/1984CE by Ulama-e-Deen of Britain. Since then both organisations are working towards clarifying and helping Muslims in issues such as Masail of Ibadat (rules of worship), Salat and fasting times, supporting and alleviating the day to day problems of Muslims whilst practising their religion.

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The Author's books: Shar'i Moon Sighting, Salat Times & Astronomicale Fact (3 - Chapters - The Fatawa BY Deobandi Barelvl Muftiyan-e-Kiram), Fajr & Isha Times and Twilight / Salat Times & Qiblah Guide for Towns and Cities in the United Kingdom in English , Falakiyat wa Shari'ah Thuboote Hilal aur Namazon ke awquat (urdoo-fatawa by Barelvi Muftian), Bartanyah main Isha ka sahih waqt, (Urdu) and, Aalamat-e-Mazahib aur music ka falsafa (Urdu and Gujurati), Shar'i Thuboot -e-Hilal ,newmoon theory aur Darul Uloom Karachi Ka Fatwa (Urdu) and others.




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